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ABSTRACT

Policies and procedures compiled in this 1970 edition of the faculty handbook have been selected from state law, the Education Code, the Administrative Code, the rules and regulations of the Board of Trustees and the Chancellor of the California State Colleges, and the policies developed by the Academic Senate and approved by the President. A greater involvement of students in the governance of the college is evidenced. Specific sections of the handbook deal with the state college system, objectives and organization of the college, governance, administration, personnel policies, instructional policies, and opportunities and benefits. Extensive appendices are included on constitutional matters, use of grounds and buildings, faculty dismissal, student rights, student disciplinary procedures, communications code, grievance procedures for academic personnel, and disciplinary action procedures for academic personnel. (LBH)

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FACULTY HANDBOOK

Policies and Procedures of the College

Opportunities and Benefits for the Faculty

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

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Issued by the Secretary of the College

CALIFORNIA STATE COLLEGE LOS ANGELES

1970

HE 007 177

FIVE-YEAR ACADEMIC CALENDAR

College year	1971–72	1972–73	1973–74	1974–75	1975–76
Summer Quarter	**1971**	**1972**	**1973**	**1974**	**1975**
Instruction Begins	July 1	July 3	July 2	July 1	July 1
Holidays	July 5	July 4	July 4	July 4	July 4
	September 6	September 4	September 3	September 2	September 1
	September 9	September 9	September 10	September 9	September 9
Examinations	September 13–18	September 11–16	September 11–17	September 10–16	September 10–16
Recess	September 20–25	September 18–23	September 18–22	September 17–21	September 17–20
Fall Quarter	**1971**	**1972**	**1973**	**1974**	**1975**
Advisement and Late Registration	September 27–30	September 25–28	September 24–27	September 23–26	September 22–25
Instruction Begins	October 4	October 2	October 1	September 30	September 29
Holidays	October 11	October 9	October 8	October 14	October 13
	October 25	October 23	October 22	October 28	October 27
	November 25–27	November 23–25	November 22–24	November 28–30	November 27–29
Examinations	December 14–20	December 12–18	December 11–17	December 10–16	December 9–15
Recess	Dec. 21–Jan. 1	Dec. 19–Jan. 1	Dec. 18–Jan. 5	Dec. 17–Jan. 4	Dec. 16–Jan. 3
Winter Quarter	**1972**	**1973**	**1974**	**1975**	**1976**
Instruction Begins	January 3	January 2	January 7	January 6	January 5
Holidays	February 21	February 19	February 18	February 17	February 16
Examinations	March 13–18	March 13–19	March 18–23	March 17–22	March 15–20
Recess	March 20–25	March 20–24	March 25–30	March 24–29	March 22–27
Spring Quarter	**1972**	**1973**	**1974**	**1975**	**1976**
Instruction Begins	March 27	March 26	April 1	March 31	March 29
Holidays	March 31–April 1	April 20–21	April 12–13	March 28–29	April 16–17
	May 29	May 28	May 27	May 26	May 31
Examinations	June 5–10	June 4–9	June 10–15	June 9–14	June 7–12
Recess	June 12–July 1	June 11–30	June 17–29	June 16–30	June 14–30

Foreword

The purpose of the *Faculty Handbook* is to provide the academic staff of the California State College, Los Angeles with an outline of the structure of the college and the California State Colleges of which it is a part, the major policies and procedures governing the college, and the opportunities and benefits available to faculty members.

I commend the *Faculty Handbook* as an aid to new faculty members and as a guide for all members of the academic community. It will be useful only to the extent it is read and understood by those affected by it. For this reason I suggest that it be kept readily available as a convenient source of reference.

J. A. GREENLEE
President

Preface

The policies and procedures compiled in this edition of the *Faculty Handbook* have been selected from state law, the Education Code, the Administrative Code, the rules and regulations of the Board of Trustees and the Chancellor of the California State Colleges, and the policies developed by the Academic Senate and approved by the President. The relatively few items which are not so derived, and hence are undocumented, are routine matters and procedures sanctioned by local usage. Codification was attempted by placing the relevant policies under the topical categories listed in the Table of Contents.

This edition of the *Faculty Handbook* evidences a greater involvement of students in the governance of the college. It also reflects an increase in the number of student-related documents which appear in the section on Instructional Policies.

As future policies emerge, they will be published in the *Faculty Bulletin* as in the past. Faculty members may find it convenient to file these items with the *Faculty Handbook*.

Suggestions and inquiries concerning the *Faculty Handbook* should be addressed to the Secretary of the College.

Alfred Ehrhardt
Secretary of the College
Los Angeles, California
September 15, 1970

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1

The California State Colleges

Nineteen institutions of higher education comprise the organization known as the California State Colleges. This statewide network of colleges had its beginnings over a century ago, when the Weekly Normal School, established in 1857 by the San Francisco Board of Education, became the first State Normal School in 1862. The State Normal School operated in San Francisco until 1871, when it moved to San Jose, becoming the San Jose State Normal School. Other normal schools were later established at Chico (1887), San Diego (1897), San Francisco (1899), Fresno (1911), and Humboldt (1913).

In 1923 the Legislature changed the "normal schools" to "teachers colleges," authorizing the granting of baccalaureate degrees. In 1935 the Legislature changed the "teachers colleges" to "state colleges" and authorized courses for students in fields other than teacher education. The California Polytechnic School joined the ranks of the state colleges in 1945, when it became the California State Polytechnic College, with campuses at San Luis Obispo and Pomona (Kellogg-Voorhis).

The Legislature further broadened the functions of the state colleges in 1947 when, in addition to the education of teachers, they were authorized to offer courses appropriate for a general or liberal education for responsible citizenship; occupational training in such fields as business, industry, public services, homemaking, and social service; and preprofessional courses needed for advanced professional study. That same year (1947) the Legislature established the Los Angeles State College and the Sacramento State College. In 1948 the state colleges were authorized to grant the master's degree. Subsequently the Legislature established the Long Beach State College (1949), California State College at Hayward (1957), California State College at Fullerton (1957), San Fernando Valley State College (1958), Stanislaus State College (1959), Sonoma State College (1960), California State College at Dominguez Hills (1960), California State College at San Bernardino (1960), California State College, Bakersfield (1965), and by separation from the San Luis Obispo campus, California State Polytechnic College, Kellogg-Voorhis (1966). Sites have been selected for future campuses in Contra Costa, San Mateo, and Ventura Counties.

Until 1959, the state colleges were administered by the State Department of Education under the direction of the State Board of Education. Pursuant to Assembly Concurrent Resolution No. 88 adopted in the 1959 session of the Legislature, the State Board of Education and the Regents of the University of California agreed upon "A Master Plan for Higher Education in California." The plan, adopted by the 1960 budget session of the Legislature and made effective July 1, 1961, formed the "California State Colleges."

The California State Colleges are a unique development of the democratic concept of tuition-free public higher education for all qualified students. Spanning the state from Humboldt County in the north to San Diego in the south, the 18 campuses of the California State Colleges represent the largest system of public education in the Western Hemisphere and one of the largest in the world. Current enrollment is some 227,000 full- and part-time students. The faculty and administrative staff numbers some 13,000. Enrollment in the system is expected to reach 300,000 by 1980

The individual colleges, each with a geographic, curricular, and academic character of its own, offer a solid basic program in the liberal arts. Beyond this, each college is noted for its individuality in academic emphasis which makes for a diversified system. Course offerings leading to the bachelor's and master's degrees are designed to satisfy existing student interests and to serve the technical and professional manpower requirements of the state.

The California State Colleges are dedicated to rigorous academic standards. Constant striving for academic excellence is at the heart of the system. Each faculty within the system is a 'teaching faculty', whose primary responsibility is the instructional process on the teacher-student level, with appropriate recognition of the necessary and constructive role of research in any institution of higher education.

Governance of the Colleges

The Coordinating Council of Higher Education. Pursuant to the recommendation of the Master Plan, the Legislature established a Coordinating Council for Higher Education, an advisory board composed of three representatives each from the University of California, the California State Colleges, the public junior colleges, the private colleges and universities in the State, and the general public. The Coordinating Council has a director who serves as its chief administrative officer. The Council advises the governing boards of the institutions of public education, reviews the annual operating budget and capital outlay budget requests of the University and the California State Colleges, makes recommendations concerning the differentiation of functions among the various segments of public higher education, and develops plans for the orderly growth of public higher education in California.

The Board of Trustees. The Legislature further implemented the Master Plan by resting the governance of the California State Colleges in a body corporate, known as "The Trustees of the California State Colleges." This board is composed of four ex-officio members, the Governor, the Lieutenant Governor, the Superintendent of Public Instruction, and the Chief Executive Officer of the California State Colleges appointed by the Trustees, and 16 persons appointed by the Governor. The Speaker of the Assembly meets with the board and participates in its work.

The Chancellor. The chief executive officer of the California State Colleges is the Chancellor appointed by the Board of Trustees. The Chancellor is directly responsible to the Trustees for the administration of the colleges. He is assisted in his duties by the Executive Vice Chancellor, the Vice Chancellor for Academic Affairs, the Vice Chancellor

for Business Affairs, the Assistant Chancellor for Faculty and Staff Affairs, and the State College Dean for Institutional Research.

The Chancellor's Council of State College Presidents. The Chancellor's Council of State College Presidents acts as an advisory group to the Chancellor. The Council evaluates proposed programs and policies prior to their submission to the Board of Trustees through the Chancellor. The Council is also involved in the implementation of all policy decisions affecting the colleges and thus in the formulation of workable programs and means for the application of policy. The Council normally meets once a month. (*CCSCP 63-12*)

The Academic Senate of the California State Colleges. The Academic Senate of the California State Colleges serves as the official voice of the faculties of the California State Colleges in matters of system-wide concern; considers matters concerning system-wide policies and makes recommendations thereon; and assumes such responsibilities and performs such functions as may be delegated to it by the Chancellor or the Trustees of the California State Colleges. All recommendations of the Academic Senate of the California State Colleges are addressed to or through the Chancellor. The Constitution of the Senate was ratified by the faculties of the California State Colleges on February 1, 1963, and approved by the Board of Trustees of the California State Colleges on March 8, 1963. *See Appendix A for the Constitution of the Academic Senate of the California State Colleges.*

Relationships and Lines of Communication

Communication with the Trustees. The Trustees are the governing board of the California State Colleges. The Chancellor is directly responsible to the Trustees for the Administration of the colleges.

1. The Chancellor communicates directly with the Trustees.

2. Communication by others with the Trustees may be obtained through the channel of the President's Office upon approval of the Chancellor.

Communication between Chancellor and Presidents. Each President is directly responsible to the Chancellor for the administration of the college.

1. Communication between the Chancellor and each President, individually, is direct in both directions.

   a. The Chancellor communicates with each President concerning policies which govern the operation of the college program and matters which are applicable to all the colleges. The Chancellor will normally observe the established direct channel to a college, but may deviate when the occasion demands it or when other procedures have been established in accordance with approved policy.

   b. Each President communicates with the Chancellor concerning (a) the operation of the college, including the progress and review of established programs and the development of new programs; (b) problems which require resolution above the college level; and (c) educational developments and ideas which are pertinent to the responsibilities of the Chancellor or the Trustees. The Chancellor does not perceive his office as the chief operational center of each campus

or as an appellate office for campus matters, except where such is provided for in approved policy and procedures.

2. Communication between the Chancellor and the Presidents, collectively, is through the Chancellor's Council of State College Presidents.

a. The Chancellor transmits Trustees' policy definitions to the Presidents through the Council. He directs the functioning of the colleges through general and specific instructions to the Council. He informs the Presidents, through the Council, of the educational progress and problems of the colleges and solicits their advice. He reviews, with the Council, the proposals and plans for meetings of state college personnel.

b. The Presidents, through the Council, advise the Chancellor. The Council presents to the Chancellor matters which require attention at the policy or highest administrative level and advises or makes recommendations to the Chancellor. The Council reviews the recommendations of staff and organized system-wide administrative and faculty groups. The Council advises the Chancellor regarding the resolution of system-wide problems. The Agenda Committee, with the approval of the Chancellor, assembles subjects and materials for presentation to the Council.

Communication between Chancellor's Staff and each President's Staff. The Chancellor designates to the Presidents the assignment and responsibilities given to each of the members of his administrative staff. Each President designates to the Chancellor the assignment and responsibilities given to each of the members of his administrative staff.

1. The Chancellor identifies appropriate channels and informs the Presidents of approved communication. Once communication has been approved and begun, the Chancellor and the Presidents involved are kept informed of progress.

2. The findings and recommendations of such cooperation are subject to appropriate administrative authorization at the Chancellor's and Presidents' level before implementation.

Communication between Chancellor and Other College Personnel and Groups and College-affiliated Groups.

1. The Chancellor normally communicates with other college personnel or organized groups through the President or with a copy of the communication to the President.

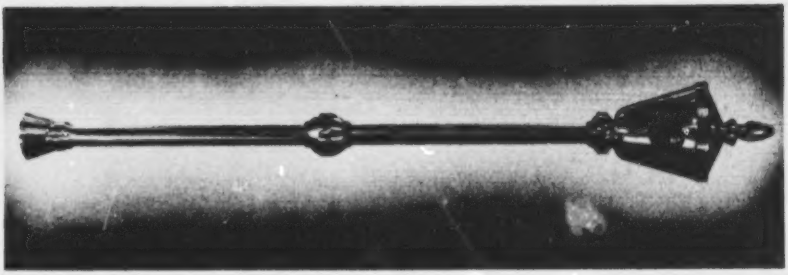
2. Other college personnel normally communicate with the Chancellor through the line of the college organization, specifically including the President.

3. Organized inter-college groups outside college jurisdiction may communicate directly with the Chancellor. In his communication with such groups the Chancellor may inform the appropriate President, or the Council, of the nature of the communications.

4. Organized college affiliated groups, such as student associations, alumni organizations, citizen committees, etc., may communicate directly with the Chancellor and the Presidents. The Chancellor and each President inform each other of the nature of such communications. (*CCSCP, July 10, 1962*)

The College Seal

The College Seal has as its motif the outline of the State of California, with a sunburst indicating the location of the College within the City of Los Angeles. The open book symbolizes the educational purpose of the College, with the numerals indicating the date of founding. The original design for the Seal, created by John R. Siebon, was accepted by the Associated Students as their official emblem in November 1949, and was adopted officially by the President of the College and his Executive Council in April 1953.



The College Mace

The Mace is a ceremonial piece symbolizing the authority under which the College is chartered. It is identified with the Office of the President and is carried in academic processions for commencements, convocations and other official gatherings at the College. The honor of serving as mace bearer is accorded to the chairman of the Academic Senate.

Historically, maces date back to the thirteenth century, when they began to be carried as ceremonial symbols of royal authority at events attended by English kings.

The College Mace, first used at the annual commencement exercises in June 1960, was designed and executed by Professor Hudson Roysher, a member of the Art faculty. The head of the Mace bears the seal of the College. The crowning ornament on the head depicts three buds of the bird of paradise, official flower of the City of Los Angeles. The buds represent the arts, letters and sciences. The design at the foot of the Mace is derived from the poppy, floral emblem of the State of California. The decorative bands encircling the Mace symbolize the mountainous terrain of Southern California.

2

Objectives and Organization of the College

The California State College, Los Angeles was established by the Legislature on July 2, 1947, as the "Los Angeles State College." In 1949 the Los Angeles State College was reconstituted by the Legislature as the "Los Angeles State College of Applied Arts and Sciences." In 1964 the Board of Trustees of the California State Colleges changed the name of the college to the "California State College at Los Angeles," and in 1968 to "California State College, Los Angeles."

From 1947 to 1955 the college shared the campus of Los Angeles City College. In 1956 the college moved to its present campus of one hundred and seventeen acres on the northeastern section of the City of Los Angeles, some five miles from the Civic Center. The college is housed in buildings of contemporary design. The entire plant represents a capital outlay of approximately fifty-five million dollars.

A faculty of eight hundred full-time and three hundred part-time instructors serves a student body of twenty thousand men and women. Fifty bachelor's degrees and thirty-six master's degrees are offered in a wide variety of fields.

According to master planning studies, the enrollment of the California State College, Los Angeles will be over thirty thousand students in the early 1970's. A master plan calls for expanding the campus to 175 acres and adding ten major structures. Most striking of the innovations in campus design will be the introduction of high-rise buildings and the placing of multi-level parking under a number of these new structures.

Although a relatively young institution, the college has evinced its academic maturity through its honors programs, its fine arts festivals, its special programs in American Studies, Asian and African Studies, and Latin American Studies, and its community-involved projects concerned with the education of the culturally deprived.

Presidents of the California State College, Los Angeles have been Victor Peterson (1947–49), Howard McDonald (1949–62), Albert Graves (1962–63), Franklyn Johnson (1963–65), and John A. Greenlee (1965–).

Objectives of the College

The California State College, Los Angeles derives its educational objectives from the statement of the Donahoe Higher Education Act of 1960 defining the primary function of the state colleges as ". . . the provision of instruction for undergraduate and graduate students through the master's degree, in the liberal arts and sciences, in applied fields and in the professions, including the teaching profession." As third largest of the California State Colleges, and fourth largest collegiate institution in California, it has grown into a multi-purpose college

with programs in all the areas cited. As an example of the fulfillment of its historic function of teacher preparation, Cal State L. A. furnishes about 20 percent of the California-trained teachers employed in the Los Angeles City School District, more than from any other of the forty California colleges preparing teachers. Its location in the center of a major industrial and commercial region has led to the development of strong occupational and professional programs in business, economics, engineering, mathematics, and the sciences. Recent trends in student registrations show strong emphasis on the liberal arts, the sciences, and the fine arts, which have been encouraged by the actual and potential development of graduate programs that increasingly attract faculty of high caliber.

Something of the unusual nature of the college is seen in the facts that it has a significantly larger percentage (about 21 percent) of its full-time enrollment in graduate programs than any other of the five largest state colleges, and has a significantly lower portion (about 31 percent) of its full-time enrollment in the lower division than any of these other large schools. Further, about one-fourth of the full-time equivalent enrollment is found in the large and varied evening program offered by CSCLA. *(From "Academic Master Plan for California State College at Los Angeles," approved by the Board of Trustees, September 2, 1965.)*

Academic Organization of the College

For the administration of its instructional programs, the college is organized into 45 academic departments residing in five schools. The schools and their departments are as follows:

School of Business and Economics: Departments of Accounting and Business Information Systems, Business Education, Economics and Statistics, Finance and Law, Management, and Marketing and Transportation.

School of Education: Departments of Educational Foundations, Elementary Education, Guidance and Pupil Personnel Services, School Administration and Supervision, Secondary Education, and Special Education.

School of Engineering: Departments of Civil Engineering, Electrical Engineering, Mechanical Engineering, and Interdisciplinary Engineering.

School of Fine and Applied Arts: Departments of Art, Child Development, Health and Safety, Home Economics, Industrial Studies, Music, Nursing, Physical Education and Athletics, Police Science and Administration, and Recreation.

School of Letters and Science: Departments of Anthropology, Botany, Chemistry, English, Foreign Languages, Geography, Geology, History, Journalism and Broadcasting, Mathematics, Mexican-American Studies, Microbiology and Public Health, Philosophy, Physics, Political Science, Psychology, Sociology, Speech and Drama, and Zoology. Interdepartmental programs include: American Studies, Asian-African Studies, Biology, Latin-American Studies, Social Science, Urban Studies.

Center for Urban Affairs: Reports to the Dean of Instructional Administration.

Department of Pan-African Studies: Presently reports to the Dean of Academic Planning.

3

Governance of the College

The President

The chief governing officer of the college is the President. He is appointed by and is responsible to the Board of Trustees of the California State Colleges. He communicates with the Trustees, however, through the Chancellor. He provides the leadership for the development of internal policies for the governance of the college.

The Faculty and Students

Faculty members and students have a major role in the governance of the college through the Academic Senate, which is the official representative body of the faculty. The Senate recommends policy to the President. If the President rejects a Senate proposal, he informs the Senate, in writing to the Chairman of the Senate, of the compelling reasons for his rejection of the Senate recommendation. All full-time members of the faculty are eligible for election to the Senate, whose membership also includes five student voting members. (See *The Constitution of the Faculty of the California State College, Los Angeles*, Appendix B.)

Faculty members and students participate in the governance of the college by their service both as members of the Senate, and as members of the all-college standing committees and various subcommittees which are agencies of the Senate in the determination of internal policies.

This section of the Faculty Handbook describes the committee structure of the Academic Senate and lists the major policies and procedures of its various committees and subcommittees.

Standing Committees of the Academic Senate

Committee Structure of the Academic Senate

(Senate: 2/6/64, 5/25/65, 10/13/66, 5/25/67; President: 3/2/64, 6/14/65, 12/1/66, 6/12/67)

Philosophy. The concept underlying the committee organization of the Academic Senate can be found in the following principles:

1. All-college standing committees are agents of the Academic Senate.
2. All-college standing committees are policy making and advisory. They will have administrative support and personnel to insure that

ministerial functions growing out of policies are properly administered.

3. The basic standing committees will be supplemented by such *ad hoc* subcommittees as the parent committees find necessary.

4. School committees will be given a high degree of local autonomy and responsibility.

The term of office for committee members will be three years, with the exception of the Committee on Academic Freedom and Professional Ethics which will be for five. The Vice Chairman of the Executive Committee is to be assigned to the Committee on Committees.

Channels of Communication and Responsibility. The operational procedures established by the Senate for all-college standing committees are as follows:

1. All-college committees will submit recommendations for the initiation of new college policy or changes in present policy to the Academic Senate and at the same time provide the President of the College with a copy of these recommendations.

2. The President of the college will withhold action on such committee recommendations until the Academic Senate has reacted to these recommendations and presented in writing a specific recommendation to the President to accept the recommendations of a Committee, to accept them with modifications, or to reject them. Copies of the minutes will not suffice to inform the President of Academic Senate recommendations.

3. In all their actions, the Academic Senate, the college committees, the administration, and faculty organizations shall act within the limits of state law; the rules of the governing board; ordinary concepts of academic freedom; and the statement "Academic Freedom, Professional Ethics, and Faculty Freedom" adopted by the Faculty Council on April 20, 1961, and approved thereafter by the President and any subsequent revisions or amendments which might be added thereto.

The Committee on Committees

(Senate: 10/11/67; President: 10/30/67)

Function. The Committee on Committees is a standing committee of the Academic Senate. It appoints members to all standing committees of the Academic Senate as provided for in the constitution, and to such other committees as the Academic Senate may stipulate. It makes recommendations on the committee structure of the college if requested by the Executive Committee or the Senate.

Composition and Selection. The Committee on Committees is composed of six elected members and the Vice Chairman of the Academic Senate. The six members are elected by the Academic Senate from the full-time faculty of CSCLA. No more than three members of the entire committee shall be from the same school and each of the six elected members shall be from a different department of the college. Election is for staggered two-year terms and reelection is possible. Nominations for the Committee on Committees may be made to the Senate on the petition of fifty faculty members. The committee elects its own chairman each year.

Rules of Procedure. The Committee on Committees makes its own rules of procedure, subject to review by the Academic Senate. The

committee may consult with whomever it feels necessary in order to discharge best its function of filling vacancies in other committees.

Effective Date. New members of the Committee on Committees shall be chosen at a meeting of the Academic Senate in October and become effective in October.

The Instructional Affairs Committee

(Senate 4/15/69; President 4/21/69)

Charge. The Instructional Affairs Committee will recommend instructional policies, establish processes for continuous evaluation and review of instructional programs, and advise the instructional deans concerning the interpretation and execution of established policy.

Instructional affairs will include, but not be limited to, admissions, probation, and disqualification of students; the development, modification and review of curriculum, summer sessions, extension, television and automated instruction, teacher education, graduate study, calendar, and work-study; it will also include a continuing study of the improvement of instruction and the programs for superior students, the formulation of policy for the library as the library relates to the instructional programs of the college, and recommendation and interpretation of policies regarding petitions pertaining to instructional problems arising from the application of college rules and the regulations of the *Education Code*.

Membership. The Instructional Affairs Committee will be composed of the following:

1. One or more members for each school/division on the basis of one member for each 100 full-time faculty members or major portion thereof. Members from the schools shall be elected by the schools by a method approved by majority vote of the faculty of the school. Faculty members in Library, Administration, and Counseling shall be considered a division for this purpose.
2. Two members appointed by the Committee on Committees.
3. One member appointed by the President.
4. One representative of the Executive Committee of the Senate.
5. Three students with full membership to be selected by the Board of Directors of the Associated Students. Such students shall:
   a. be students in good standing;
   b. be enrolled in at least six units during their service on the committees;
   c. at the time of appointment, have been in residence at Cal State L.A. for at least two quarters;
   d. be balanced (ideally) as to class level, and
   e. be representative (ideally) of different schools.

Subcommittees. Subcommittees of the Instructional Affairs Committee include the *Subcommittee on Admissions and Petitions*, the *Subcommittee on Articulation*, the *Subcommittee on Computer Policy*, the *Subcommittee on Graduate Studies*, the *Subcommittee on Television Policy*, the *Subcommittee on Teacher Education*, the *Subcommittee on Library Policy*, the *Subcommittee on Challenged Courses*, and the *EOP Advisory Committee*.

The Faculty Affairs Committee

(Senate: 4/15/69; President: 4/21/69)

Charge. The Faculty Affairs Committee will develop and recommend faculty personnel policies, in general to include but not limited to promotion, tenure, retirement, leaves of absence, sabbatical leaves, research, grants, awards, publications, selection and retention of instructional staff and administrative officers, and such other faculty personnel matters as may be referred to the committee by the President or Academic Senate. When called upon to do so by any faculty member or administrative officer of the College, the Faculty Affairs Committee, by suitable means, will give advice and/or conduct such inquiries as it deems useful, to the end that the person requesting this assistance may determine whether or not to lay a case involving an alleged breach of professional ethics before the Committee on Academic Freedom and Professional Ethics.

Membership. The Faculty Affairs Committee shall be composed of the following:

1. One or more members for each school/division on the basis of one member for each 100 full-time faculty members or major portion thereof. Members from the schools shall be elected by the schools by a method approved by majority vote of the faculty of the school. Faculty members in Library, Administration, and Counseling shall be considered a division for this purpose.
2. Two members appointed by the Committee on Committees.
3. One member appointed by the President.
4. One representative of the Executive Committee of the Senate.
5. Three students with full membership * to be selected by the Board of Directors of the Associated Students. Such students shall:
   a. be students in good standing;
   b. be enrolled in at least six units during their service on the committees;
   c. at the time of appointment, have been in residence at CSCLA for at least two quarters;
   d. be balanced (ideally) as to class level; and
   e. be representative (ideally) of different schools.

Members will serve for three years, terms to be staggered at outset by lot. The committee will elect its own officers.

Subcommittees. Subcommittees of the Faculty Affairs Committee include the *Subcommittee on Art Acquisitions*, the *Subcommittee on Faculty Awards*, the *Subcommittee on Faculty Research*, the *Subcommittee on International Affairs*, the *Subcommittee on Leaves*, the *Subcommittee on Peace Corps Policy*, the *Subcommittee on Human Rights Assurance*, the *Subcommittee on Faculty Retreat*, and the *Subcommittee on Urban Affairs*.

The Student Affairs Committee

(Senate: 4/15/69; President: 4/21/69)

Charge. The Student Affairs Committee will study and recommend policies concerned with the co-curricular program, Counseling and

* Except that no students shall sit on individual grievances and appeals.

Testing, Health, Placement, Financial Aids, and other functions for which the Dean of Students is responsible, in general to include but not limited to student discipline, veterans and foreign students, placement, student health, counseling and testing, financial aids and scholarships, student activities, and housing; and to advise the Dean concerning the interpretation and execution of these policies. It will also recommend and interpret policies regarding petitions pertaining to problems arising from the application of regulations governing functions for which the Dean of Students is responsible.

Membership. The Student Affairs Committee will be composed of the following:

1. One or more members for each school/division on the basis of one member for each 100 full-time faculty members or major portion thereof. Members from the schools shall be elected by the schools by a method approved by majority vote of the faculty of the school. Faculty members in Library, Administration and Counseling shall be considered a division for this purpose.
2. Two members appointed by the Committee on Committees.
3. One member appointed by the President.
4. One representative of the Executive Committee of the Senate.
5. Three students with full membership to be selected by the Board of Directors of the Associated Students. Such students shall:
   a. be students in good standing;
   b. be enrollel in at least six units during their service on the committees;
   c. at the time of appointment, have been in residence at CSCLA for for at least two quarters;
   d. be balanced (ideally) as to class level; and
   e. be representative (ideally) of different schools.

Subcommittees. Subcommittees of the Student Affairs Committee include the *Subcommittee on Commencement Arrangements*, the *Subcommittee on Financial Aids and Scholarships*, the *Subcommittee on Placement*, the *Subcommittee on Student Discipline*, the *Subcommittee on Student Housing*, the *Subcommittee on Visiting Speakers*, and the *Steering Committee*.

The Fiscal Affairs Committee

(Senate: 4/15/69; President: 4/21/69)

Charge. The Fiscal Affairs Committee will review fiscal problems and programs of the college, consider policy recommendations related to fiscal affairs from other all-college committees, and advise the President and his delegated representatives concerning the fiscal and physical development and operation of the college. Fiscal affairs will include, but not be limited to, budgets, fees, campus planning and development, operation of physical facilities of the college, parking, and such other problems and programs as may be referred to the committee by the President of the College or by the Academic Senate.

Membership. The Fiscal Affairs Committee will be composed of the following:

1. One or more members for each school/division on the basis of one member for each 100 full-time faculty members or major portion

thereof. Members from the schools shall be elected by the schools by a method approved by majority vote of the faculty of the school. Faculty members in Library, Administration, and Counseling shall be considered a division for this purpose.

2. Two members appointed by the Committee on Committees.

3. One member appointed by the President.

4. One representative of the Executive Committee of the Senate.

5. Three students with full membership to be selected by the Board of Directors of the Associated Students. Such students shall:

a. be students in good standing;

b. be enrolled in at least six units during their service on the committees;

c. at the time of appointment, have been in residence at CSCLA for at least two quarters;

d. be balanced (ideally) as to class level; and

e. be representative (ideally) of different schools.

Members will serve for three years, terms to be staggered at outset by lot. The committee will elect its own officers.

Subcommittees. Subcommittees of the Fiscal Affairs Committee include the *Subcommittee on Budget*, the *Subcommittee on Campus Planning and Beautification*, the *Subcommittee on Operational Policies*, and the *Subcommittee on Instruction.*

The Committee on Academic Freedom and Professional Ethics

Charge. The Committee on Academic Freedom and Professional Ethics will remain as a separate committee and continue to function under its existing charge. The purpose of this committee is to formulate policy on academic freedom and professional ethics; to receive and evaluate evidence of alleged violation of policy in the areas of academic freedom and professional ethics.

Responsibility for Investigation of Complaints

(Senate: 10 27 66; President: 1/23 67)

1. The Committee on Academic Freedom and Professional Ethics will develop and recommend procedures for the investigation of complaints from any source that allege violations of academic freedom or professional ethics. The Committee will also undertake to review and, where desirable, recommend to the Academic Senate changes in those sections of the *Faculty Handbook* that relate to the topics of academic freedom and professional ethics. This review shall specifically include pages 59–61 of this issue of the *Faculty Handbook.*

2. The Faculty Affairs Committee will develop and recommend grievance procedures for the investigation of complaints arising from denial of tenure, failure to obtain re-employment prior to tenure, failure to be promoted, and reprimand or dismissal, whether pre-tenure or post-tenure. The Committee will also undertake the review and, where desirable, recommend to the Academic Senate changes in those sections of the *Faculty Handbook* that relate to the topics of faculty rights and

faculty personnel administration: promotion, tenure, and dismissal. This review shall specifically include pages 51–58 and page 61 of this issue of the *Faculty Handbook*.

Committee on Honors Convocation and Commencement

(Senate: 4/21/70; President: 5/21/70)

The task of development of the programs and the recommendation of principal speakers for the Honors Convocation and Commencement is assigned to a standing committee of the Senate composed of two faculty members appointed by the Committee on Committees, and the Secretary of the College who shall serve ex officio as Executive Secretary with a vote. The term of office of the faculty members and the students shall be staggered two-year terms.

Committee Policies and Procedures

Committee Vacancies

(Senate: 6/1/67; President: 8/25/67)

A member of a standing committee of the Academic Senate who will be on leave or vacation for one or more quarters shall notify the chairman of his committee and the chairman of the Committee on Committees at the beginning of the preceding quarter. A replacement from the same school as the absent member will be appointed as soon as possible by the Committee on Committees. If the faculty member is to be absent for more than two consecutive quarters, the normal school nominating procedures shall be utilized. Following his appointment, the replacement will receive agenda and accompanying documents, so he may be best prepared to fit into the committee deliberations when his tenure begins.

In the absence of a member of the Committee on Committees for a quarter, the Executive Committee of the Academic Senate shall appoint a temporary replacement. If a member is to be absent for more than one quarter, the Senate shall elect a temporary replacement.

The chairman of a standing committee should announce to his committee as early as possible what quarter he will be on leave or vacation, so that the committee can provide for appropriate continuity in committee leadership (e.g., acting chairman, vice chairman, temporary chairman, etc.).

Committee Service

(Senate: 12/5/67; President: 12/7/67)

If a member of a standing committee of the Academic Senate fails to meet his committee responsibilities, the committee may by a two-thirds vote recommend to the Committee on Committees that the member be replaced. The Committee on Committees shall have the authority to act on such a recommendation.

Assigned Time for Academic Governance

(Senate: 5/21/68; President: 7/17/68)

The members of the Executive Committee shall each be assigned to one of the four major committees of the Academic Senate—Faculty Affairs, Fiscal Affairs, Instructional Affairs, and Student Affairs Committees. All members of the Executive Committee not presently receiving assigned time shall be granted assigned time, three or four quarter units depending upon what is consistent with each individual assignment. When circumstances dictate, the Executive Committee shall request the Vice President for Academic Affairs to grant assigned time to the Chairman of the Academic Freedom and Professional Ethics Committee.

Assigned time will not be granted to faculty members serving in full-time administrative positions. The Senate may request additional time on an *ad hoc* basis for specific functions.

Proxies

(Senate: 2/24/66; President: 3/9/66)

The use of proxies on all-college committees is prohibited.

Student Representation on Committees

(Senate: 10/20/66; President: 11/4/66)

It is desirable that student representation be consulted by all committees, whenever practicable, on all issues vitally affecting them, and that student participation in committees at the school and department levels be encouraged whenever faculty are hospitable to the idea.

Student Participation in Academic Governance

(Senate: 4/23/68; President: 4/26/68)

The Academic Senate CSCLA invites the Board of Directors of the Associated Students CSCLA to send one to three representative observers to meetings of any committee or subcommittee of the Academic Senate, except those dealing with personnel matters. The function of such representative observers will be to inform the student government of the activities of the committees and to express student views on issues under discussion. These representative observers are not members of the committee and therefore may not vote, or make motions, and on occasion may be excluded from committee deliberation if the committee needs to meet in executive session.

Procedures for Placing Faculty Members on Student Committees, Student Members on Faculty Committees

(Senate: 10/8/68; President: 11/18/68)

Faculty Members on Student Committees. If the Board of Directors of the Associated Students requests that faculty members serve as repre-

sentatives of the faculty on any committees of the Associated Students, the procedures shall be as follows:

1. The Board of Directors will indicate any specific criteria for faculty members who serve on a given Associated Students committee.
2. The request will be submitted to the Academic Senate for its approval.
3. If the Senate approves, the Committee on Committees will be asked to designate the faculty member or members to serve.

Any faculty member who is invited by the students to serve on a student committee has the right to do so; but such individual membership shall not constitute faculty representation.

Student Members on Faculty Committees. If the Academic Senate requests that student members serve as representatives of the student body on any of its committees, the procedures shall be as follows:

1. The Senate will indicate any specific criteria for students who serve on a given committee.
2. The request will be sent to the Board of Directors for its approval.
3. If the Board of Directors approves the student membership on the faculty committee, it will designate the student to serve.

Senate committees that desire student representation on ad hoc subcommittees do not need Senate approval. The chairman of the committee may request such representation directly from the Board of Directors.

Any student who is invited by the faculty to serve on a faculty committee has the right to do so; but such individual membership shall not constitute student body representation.

Relation of Administrative Committees to the Senate

(Senate: 4/14/66; President: 4/14/66)

1. The President shall inform the Executive Committee of the Academic Senate whenever an administrative committee has been appointed.
2. Within three months of the time that the committee is appointed, there shall be consultation between the President and the Executive Committee concerning the future of the committee.
3. If it is established that the work of this committee is relevant to the instructional program, then arrangements shall be made immediately to bring this committee under the Academic Senate committee structure.

Relation of Membership on All-College Committees to Holding of Administrative Positions

(Senate: 4/14/66; President: 4/14/66)

A faculty member who is appointed by the Committee on Committees to a committee of the Academic Senate and who—subsequent to this appointment—accepts an administrative position within the schools at the level of department head or higher (or any position in central college administration), shall submit his resignation to the Committee on Committees. The Committee on Committees may accept or decline the resignation, as it sees fit. (This policy does not apply to Presidential appointees to committees.)

Policy for Committees Which Make Awards to Individual Faculty Members

(Senate: 1/6/66; President: 1/7/66)

1. Policy determination and the function of making awards shall be separated.

2. Committees which make awards shall be constituted on an *ad hoc* basis for a maximum period of one year.

3. Members who serve on such *ad hoc* committees shall be ineligible to receive awards granted by the committee during the period in which they serve.

4. The criteria to be followed by the *ad hoc* committees in granting awards shall be set by the appropriate policy committee. The Committee on Committees shall select members of the *ad hoc* committees after first soliciting nominees from all departments.

Subcommittee Policies and Procedures

Formation of Subcommittees

(Senate: 10/6/66; President: 10/14/66)

In the formation of subcommittees, an *ad hoc* committee shall be used whenever it is not clear that a standing committee would be preferable because of the enduring nature of the task; the effort shall be made to keep subcommittees small; college committees shall be urged to utilize the services of the Committee on Committees in the formation of subcommittees; the possibilities of joint subcommittees shall be considered where issues overlap functions of two or more college-wide committees.

Subcommittees of Standing Committees

(Senate: 5/11/67, 3/26/68; President: 5/15/67, 4/2/68)

1. Subcommittees of standing committees of the Academic Senate shall be appointed or elected by the parent committee (with consultation with the Committee on Committees if desired), and they should report to the parent committee.

2. Each standing committee of the Senate shall be responsible for determining procedures for the implementation of Senate policy for all of its subcommittees.

Subcommittee on Grants and Research Leaves

(Senate: 5/11/67, 3/26/68; President: 5/15/67, 4/2/68)

The awarding of all grants and research leaves shall be made by the Subcommittee on Faculty Grants and Research.

1. All members of the Subcommittee on Faculty Grants and Research shall agree to refrain from applying for grants or awards made by the Committee during their membership.

2. Membership on the Subcommittee on Faculty Grants and Research shall be for staggered one-year terms. If a member resigns during the tenure of his one-year term, his ineligibility for grants shall continue for the full year.

Subcommittee on Peace Corps Policy *

(Senate: 3/10/66; President: 3/22/66)

Pursuant to "Policies Relating to the Administration of Government Grants, Section 1: Continuing Programs," a Peace Corps Policy Committee is hereby established as a subcommittee of the Faculty Affairs Committee to the Academic Senate.

Charge. The Peace Corps Policy Committee shall recommend general policy concerning Peace Corps activities; advise on the feasibility of acceptance of each project from the standpoint of availability of staff, competence of staff, instructional facilities, housing of trainees, etc., after consulting with appropriate schools, institutes, departments, and other relevant bodies; recommend a director for each project; establish guidelines for the director in conformity with contractual obligations and college policy; review budgets in compliance with established policy; and advise and inform the Faculty Affairs Committee and the administration of the college on Peace Corps activities.

Membership. The Peace Corps Policy Committee will be composed of the following:

1. The Vice President for Academic Affairs or his designee.
2. Six members elected by the Faculty Affairs Committee to serve two-year terms.
3. The Manager of the Los Angeles State College Foundation as an ex-officio non-voting member.

This committee will elect its own officers.

Subcommittee on Urban Affairs †

(Senate: 8/8/67; President: 8/14/67)

Pursuant to "Policies Relating to the Administration of Government Grants, Section 1: Continuing Programs" an Urban Affairs Committee is hereby established to deal with urban-related programs. It shall be a subcommittee of the Faculty Affairs Committee.

Charge. The Urban Affairs Committee shall:

1. Recommend general policy concerning urban-related research, training, or community service projects or programs in which the college or any of its components participate.

2. Participate in the selection of the Director of Urban Affairs, with the right to nominate candidates and to approve any nomination.

3. Establish guidelines for operation of the Center for Urban Affairs.

4. Consider and approve the following aspects of specific urban projects or programs involving outside funding, except as noted in Section 3 of the document, "Center for Urban Affairs," p. 38.

   a. College participation in the project or program.
   b. The general plan of the project or program.
   c. The selection of the project or program director. (The Urban Affairs Committee has the right to nominate persons for such appointments, although nominations may also come from other sources.)

* See page 82 for "Credit for Peace Corps Volunteers Training on Campus."
† See page 38 for "Center for Urban Affairs."

Membership. The Urban Affairs Committee will be composed of the following:

1. At least one representative from each school, but not more than the numbers allocated to the major standing committees.
2. Not more than two students.
3. The two Vice Presidents and the Dean of Students or their designees.

Subcommittee on International Affairs *

(Senate: 5/7/69; President: 5/20/69)

Charge. The International Affairs Committee shall review and recommend policy on matters of an international nature which include, but are not limited to, the International Faculty Exchange Program. It shall be a subcommittee of the Faculty Affairs Committee.

Membership. The composition of the International Affairs Committee shall be determined by the Faculty Affairs Committee, except that the Vice President for Academic Affairs shall designate a member of his staff to serve as Executive Secretary of the Committee.

Subcommittee on Visiting Speakers †

(Senate: 10/15/68; President: 11/18/68)

Charge. To interpret and implement the Visiting Speakers Policy.

Position within the college committee structure. The Committee on Visiting Speakers will be a subcommittee of the college Student Affairs Committee.

Membership. The Committee shall be composed of five voting members:

1. Two faculty members selected by the Student Affairs Committee for staggered terms of two years each.
2. The President of the Associated Students or his designee.
3. One student selected by the Associated Students Board of Directors for a one-year term.
4. The Dean of Students or his designee.

The Chairman of the Committee shall be elected by its members.

* See page 49 for "International Faculty Exchange Program."
† See page 42 for "Visiting Speakers."

COMMITTEE STRUCTURE OF THE ACADEMIC SENATE

ACADEMIC SENATE ——— **Executive Committee**

Committee on Faculty Affairs

Committee Membership

Letters and Science	4
Fine and Applied Arts	2
Education	1
Business and Economics	1
Engineering	1
Administration, Counseling, and Library	1
Presidential Appointment	1
Executive Committee Representative	1
Committe on Committee Appointments	2
Students	3

Subcommittees

- Art Purchase Awards
- Faculty Awards
- Faculty Research
- International Affairs
- Leaves
- Peace Corps Policy
- Human Rights Assurance
- Retreat
- Urban Affairs

Committee on Fiscal Affairs

Committee Membership

Letters and Science	4
Fine and Applied Arts	2
Education	1
Business and Economics	1
Engineering	1
Administration, Counseling, and Library	1
Presidential Appointment	1
Executive Committee Representative	1
Committee on Committee Appointments	2
Students	3

Subcommittees

- Budget
- Campus Planning and Beautification
- Operational Policies
- Instructional

Committee on Instructional Affairs

Committee Membership

Letters and Science	4
Fine and Applied Arts	2
Education	1
Business and Economics	1
Engineering	1
Administration, Counseling, and Library	1
Presidential Appointment	1
Executive Committee Representative	1
Committee on Committee Appointments	2
Students	3

Subcommittees

- Admissions and Petitions
- Articulation
- Graduate Studies
- Television Policy
- Teacher Education
- Library Policy
- Challenged Courses
- EOP Advisory

Committee on Student Affairs

Committee Membership

Letters and Science	4
Fine and Applied Arts	2
Education	1
Business and Economics	1
Engineering	1
Administration, Counseling, and Library	1
Presidential Appointment	1
Executive Committee Representative	1
Committee on Committee Appointments	2
Students	3

Subcommittees

- Commencement Arrangements
- Financial Aids and Scholarships
- Placement
- Steering Committee
- Student Discipline
- Student Housing
- Visiting Speakers

Committee on Committees

Committee on Academic Freedom and Professional Ethics

Outstanding Professor Awards Committee

4

Administration of the College

The President

In addition to being the chief governing officer concerned with the development of internal policies, the President is also the chief administrative officer. As such, he is concerned with the implementation and execution of both the internal policies of the college and those established by the Board of Trustees and the Chancellor. To assist him in this phase of his responsibilities he has the administrators of the college, as well as the following groups with which he may confer.

The Cabinet

The President's Cabinet consists of the Vice President for Academic Affairs, the Vice President for Business Affairs, the Dean of Students, the Chairman of the Academic Senate, the President of the Associated Students, the Chairman of the Staff Council, and other administrative personnel selected by the President. The Cabinet meets with the President usually once a week.

The Faculty-Administrative Committee

(Senate: 4/2/64; President: 4/8/64)

Meeting on call by the President, the Faculty-Administrative Committee includes the Executive Committee of the Academic Senate, school deans and division chairmen, the President, and four members of the central administration named by the President.

The function of the Faculty-Administrative Committee is to examine problems in the coordination and implementation of college policies. Issues involved in long-range and overall plans, reorganization, and appointment policies are examples. The committee is designed to encourage group give-and-take discussions in advising the President, but not to settle details, make decisions, or to record votes. The committee meets on call of the President, or on request of one-third of the members.

The College Advisory Board

(Education Code, Sections 23651–23657)

A lay group whose members are recommended by the President and approved by the Board of Trustees comprises the College Advisory Board. The board may consist of not less than seven nor more than thirteen members, who reside in the area in which the college is located. The term of office of each board member is four years. The board consults and advises with the President with respect to the improve-

ment and development of the college. (For a detailed statement on the role and guidelines concerning College Advisory Boards, see *Trustees Minutes, July 20, 1966.*)

The Faculty and Students

Just as faculty members and students have a voice in the *governance* of the college by their involvement in the legislative functions of the Academic Senate, so, too, do they have a role in the *administration* of the college. Through their service on various standing and *ad hoc* committees of the Senate, faculty members and students are engaged in such administrative matters as the selection of administrators and the evaluation of the instructional performance of faculty.

This section of the *Faculty Handbook* describes the procedures for the appointment of administrative personnel and lists the major administrative policies of the college. Policies closely allied to personnel matters and instructional procedures will be found in Sections V and VI, respectively.

Procedures for Appointment of Administrative Personnel

Central Administrators and School Deans

(Senate: 1/2/64, 1/6/66, 2/10/67, 12/2/69;
President: 1/2/64, 1/21/66, 2/22/67, 12/31/69)

1. *Formal Consultation in Appointment of Administrators*

a. Formal consultation in appointment of administrators shall be accomplished through the use of ad hoc committees. The following positions or new positions of comparable rank, as determined by the Executive Committee, shall involve formal consultation:

Vice President for Academic Affairs
Vice President for Business Affairs
Deans of the Schools
Librarian
Dean of Students
Dean of Academic Planning
Dean of Instructional Administration

b. When administrative vacancy requiring formal consultation is announced by the President, an ad hoc advisory committee will be appointed and elected. This committee will consist of five members, a majority of whom will be teaching faculty, librarians, or research members of the faculty, as follows:

(1) *A central administrative position, e.g., Dean of Academic Planning:*

(a) Four faculty members (not more than two from any one school) to be elected by the Academic Senate from its own membership or from the college at large.

(b) One member appointed by the President from the college at large.

(2) *School Dean:*

(a) Three faculty members from the school in which the vacancy exists, to be elected by the members of the school, with not more than one from any one department, discipline, or sub-area.

(b) One faculty member, not from the school concerned, to be elected by the Academic Senate.

(c) One member appointed by the President from the college at large.

(3) *College Librarian:*

(a) Two librarians to be elected by the professional library staff.

(b) Two faculty members (not more than one from any one school) to be elected by the Academic Senate from its own membership or college at large.

(c) One member appointed by the President from the college at large excluding librarians.

(4) *Dean of Students:*

When the position of Dean of Students is vacant, a five-man ad hoc advisory committee will be formed as follows:

(a) Two faculty members from different schools to be elected by the Academic Senate from its own membership or from the college at large.

(b) Two students in good standing to be elected by the Board of Directors of the Associated Students.

(c) One member appointed by the President from the college at large.

Recommendations by the committee shall require the affirmative vote of four members of the committee.

c. Such advisory committees will elect their own chairman.

d. The above procedure will be followed in all cases, whether the appointment is a permanent or acting appointment, except that acting appointments for two quarters or less do not require the establishment of a committee. In such cases, the President shall utilize informal consultation in making the acting appointment.

e. The committee will receive recommendations for the appointment to be filled from members of the faculty and administration. It will actively and expeditiously seek names of candidates, both on campus and off, and will sift them in order to help find the best persons for the position. It will be in constant consultation during this process with the President or his representative. As finances permit, the committee will be expected to interview candidates on the campus, to arrange interviews with other faculty members, and to take the initiative in representing effectively the teaching faculty's interest in the appointment.

f. It is also expected that, at the invitation of the President or the committee, numerous other interested individuals or groups will

interview the candidates, depending upon time available and the degree of closeness of their working relationships with the appointee. Their reports, written where feasible, will be submitted to the committee and the President or his representative.

2. *Informal Consultation in Appointment of Administrators*

In informal consultation, the appointment shall be made by the President after he has consulted with the Executive Committee of the Academic Senate. The following professional positions which carry rank and class or which are equivalent to such positions and which are not covered by formal consultation will be covered by this type of review:

All professional personnel reporting directly to the President
All administrators reporting directly to the Vice President for Business Affairs
All administrators reporting directly to the Vice President for Academic Affairs, to the Dean of Academic Planning, to the Dean of Instructional Administration, or the Dean of Students

Informal consultation is also recommended in the case of the Foundation Manager even though this individual is not an administrator of this college.

3. The President shall report to the Academic Senate whether appointees did or did not have the recommendation of the ad hoc committee in the case of formal consultation, or that of the Executive Committee in the case of informal consultation.

4. The initial appointment and subsequent promotion in academic rank of administrators who have such rank shall be subject to review by the department and school concerned.

Procedures for the Review of Administrators

1. The President will review annually with the Executive Committee of the Academic Senate the performance of all persons appointed under these procedures.

2. The Executive Committee may at any time bring to the attention of the President any question regarding the performance of any administrator appointed through formal or informal procedures. The President shall investigate the question raised by the Executive Committee and shall respond to the inquiry. At the discretion of the President, a meeting shall be held between the Executive Committee, the President, the administrator involved, and such other persons as may be relevant to answering the question posed by the Executive Committee.

3. If after the procedures in paragraph 1 have been followed, the Executive Committee concludes that a formal recommendation should be made regarding the administrator, it shall make such a recommendation in writing to the President.

4. The decision regarding the recommendation of the Executive Committee will be communicated in writing by the President to the Executive Committee.

5. In the event that the decision of the President is contrary to the recommendation of the Executive Committee, the Executive Committee

shall have the option of making a full report to the Senate in executive session. The administrator involved shall have the right to participate in any such executive session of the Senate.

Associate and Assistant School Deans

(Senate: 5/25/65; President: 6/15/65)

1. The Associate or Assistant Dean will perform line or staff functions, within Board of Trustees', Chancellor's Office, and College policies, as directed by the Dean. While not necessarily a senior professor, he will be expected to possess those scholarly, administrative, and personal characteristics which will secure the respect of the school's faculty, and thus assist the Dean to the maximum.

2. The process of selection will include the principle of consultation by the Dean with the Department Chairmen, and with an elected faculty committee the procedures to be developed within the School and filed with the President and with the Vice President for Academic Affairs. Appointment is by the President, upon recommendation of the School Dean.

3. Inasmuch as no administrator holds office as of right, the appointment as Associate or Assistant Dean is for an unstated term, but he can be removed from office by the Dean only after full discussion with the Associate or Assistant Dean concerned or by the President only after full discussion with the Dean and the Associate or Assistant Dean concerned.

4. Where more than one Associate or Assistant Dean is appointed in a School, the Dean shall designate beforehand one as his replacement if necessary.

Department Chairmen

(Senate: 3/5/64, 2/20/68, 12/2/69; President: 3/9/64, 3/27/68, 12/31/69)

1. When a vacancy appears or is expected in a Department Chairmanship, the Department, under the initiative of the School Dean, will elect by secret ballot a three-man, or limited number, Advisory Committee. Membership on the Advisory Committeee shall not be considered a detriment to selection as Department Chairman.

2. Each member of the Department will nominate by secret preferential ballot. The ballot shall include all eligible members of the Department and also provide an opportunity for the faculty to express a preference for a person outside the College. Each eligible member of the Department will be given the opportunity to rank all names on this ballot which are acceptable to him as Department Chairman. This ballot will be transmitted to the Advisory Committee which shall utilize the rankings as an important source of information in reaching its recommendation.

3. Members of a Department whose Chairman is about to be selected will not indicate whether or not they would serve until officially asked to serve by the President or his designee.

4. The Advisory Committee will carefully but expeditiously study the relevant records of individuals both inside and outside the College, and may consult the Department, especially those members senior in the profession and the College. It will also keep the School Dean gen-

erally informed of its progress, and give careful consideration to his views on the Chairmanship.

5. The Advisory Committee will render its recommendation of one or more potential Department Chairman to the School Dean. If the recommendation or recommendations are not accepted, the Advisory Committee will be so informed, along with the reasons for such action, and will again review potential Department Chairman and make further recommendations. The Dean and the Department Advisory Committee shall exercise mutual veto in their recommendation.

6. The Department Chairman will be appointed by the President or his designee. In any event, the President shall be notified of each appointment. The initial appointment shall be for a term of three years, beginning with the first day of any quarter. A Department Chairman may be reappointed for a second three-year term, or on rare occasions, for a third three-year term. The procedures of Paragraphs 1–5 shall be followed as in the case of a vacancy.

7. So long as the above general procedures are followed, a Department may propose supplementary requirements, e.g., eligibility criteria for Chairmen or for Advisory Committee members, subject to the approval of the School, and the procedure being approved and recorded by the President. In the unlikely event that the above procedures do not lead to selection of a Department Chairman in a reasonable length of time, e.g., one full academic quarter, the President or his designee may appoint a Department Chairman for a term of not over one college year.

8. The Department Chairman can be removed from the Chairmanship by the President, but only after full discussion with the School Dean and with representative members of the Department concerned. The President or his designee will normally be expected to report his reasons for such action to the Department.

9. A review of a Department Chairman can be initiated by the School Dean, the Executive Committee of the Academic Senate, or the President or his designee. Such review may include the total program of the Department, including promotions policies and practices, administration, routine operation, problems of academic freedom, as well as the stature of the Department and its standing in the academic community.

10. Remuneration of Department Chairmen in the form of assigned time or in other ways will be recommended by the School Deans and determined by the President or his designee.

Department Associate Chairmen

(Senate: 5/11/67; President: 5/15/67)

1. An Associate Chairman shall be appointed to serve as Acting Chairman in the absence of the Chairman and to assist the Chairman as needed.

2. During the period in which he is serving as Acting Chairman, the Associate Chairman shall be given the released time which would otherwise be given to the Chairman. The Associate Chairman may be given additional released time during one or more of the remaining quarters of his academic year to assist the Chairman in his administrative duties.

3. The Associate Chairman shall normally serve for at least one year, but in no case for longer than the unexpired term of the Chairman.

4. The Associate Chairman shall be appointed by the Dean of the School upon recommendation of the Department Chairman. The Chairman shall make his recommendation only after departmental consultation following procedures established by the total fulltime departmental faculty. These procedures shall be on file in the School Office.

Administrative Policies

Contractual Agreements of the College

(Senate: 1/14/69; President: 1/15/69)

Any agreement(s) as to policy, program, curriculum, or administrative decisions made at CSCLA which is or are inconsistent with or violative of established appropriate consultative processes shall be of no force or effect.

Consultative Procedures in Emergencies

(Senate: 1/15/69; President: 1/19/69)

The Executive Committee shall be kept fully informed and participate in significant policy decisions of the President. When time permits in any major campus emergency, the usual procedure of consulting the Academic Senate CSCLA shall be followed. If time does not permit this established consultation, the Executive Committee of the Academic Senate shall be involved in the deliberations; and finally, if there is insufficient time, and only under circumstances where there is insufficient time for these appropriate consultive procedures, the Informal Group to Advise the President in Emergency Situations * shall be consulted.

Use of Police in Emergency Situations

(Senate: 5/27/69; President: 6/6/69)

While the Academic Senate expects the administration to continue its policy of restrained approach to the settlement of campus problems before resorting to direct action and outside help, it fully recognizes that situations may arise, which, in the best judgment of the administration, require that off-campus police be summoned to restore order to the campus. In such circumstances the Academic Senate expects that the administration will pursue whatever course of action it deems appropriate to insure the safety and well-being of members of the academic community, and to protect the integrity of the institution.

Use of Academic Positions for Administrative Assignments

(Senate: 8/5/68; President: 8/21/68)

Before a new function in central administration or student services is established, staffed by a class-and-rank position, supported by either

* The Informal Group to Advise the President in Emergency Situations presently consists of: Chairman of the Staff Council, Chairman of the Academic Senate, President of the Associated Students, Vice President for Academic Affairs, Vice President for Business Affairs, Dean of Students, Chairman of the Faculty Affairs Committee, Consultant for Special Services.

state or non-state funds, the Executive Committee of the Academic Senate shall be consulted.

Rights of Academic Administrators

(Senate: 4/21/70; President: 6/11/70)

Academic administrators, during their terms in office, may:

1. Attend and vote in meetings of the department.
2. Vote in departmental elections.
3. Serve on departmental committees to which they are elected by the department.

Fiscal Support and Administrative Control of Inter-Departmental and Inter-School Programs

(Senate: 10/6/66; President: 10/14/66)

The responsibility for fiscal support of and administrative control over inter-departmental and inter-school programs shall be placed in the departments and schools concerned; wherever more than one school is involved, administrative responsibility shall be assigned to one school, but fiscal responsibility shall be shared. This policy shall apply except for those programs whose administrative control and fiscal support are specifically established by action of the Senate, e.g., Peace Corps.

Computer Policy

(Senate: 2/3/70; President: 5/12/70)

Introduction

The role of the computer in the future operations of the college will be extensive, even if no further progress in computer development is made. However, all present indicators point toward greater sophistication of computer techniques and toward an expanded utilization of these techniques in achieving the broad educational goals of the college.

The present and projected needs for data-processing facilities for the purposes of computer-aided instruction, student and faculty research, and various administrative uses has already generated plans for a major expansion of the present facilities. With the expected expansion of the data-processing facilities, it is believed that the powers and responsibilities of the existing Computer Policy Committee [1] must be increased substantially so that it can deal properly with the range of new and complex problems which will be encountered as the center expands. Our proposed definition of the role and responsibilities of the Computer Committee is developed upon the premise of a vastly expanded Computer Center. Hopefully, it has been formulated in a manner capable of facilitating still further expansion.

In subsequent sections, the role of the new committee is defined in terms of policy determining and reviewing responsibilities, and its composition and position in the committee structure of the college will be dealt with in detail.

Charge. The Computer Committee shall be a standing subcommittee of the Instructional Affairs Committee of the Academic Senate.

[1] Hereafter renamed Computer Committee.

The Computer Committee shall arrange consultation with the Fiscal Affairs Committee on subcommittee recommendations bearing on fiscal policy and with the Faculty Affairs Subcommittee on Faculty Research on subcommittee recommendations bearing on faculty research policy prior to submitting its recommendations to the parent committee, or it shall recommend such consultation to the parent committee upon forwarding recommendations in those areas.

Policy and Advisory Functions

1. General policy functions of the Committee shall include the following:

a. Identify and clarify general objectives relating to the acquisition and use of computers on and by the college or any of its components and identify the means by which those objectives can be achieved.

b. Develop policy statements relative to these general objectives.

c. Participate as the representative of the Academic Senate in the long-range and intermediate planning of CSCLA as it affects the acquisition and utilization of computers of and by CSCLA and its components.

d. Coordinate use of computers and associated data-processing equipment by and for the college.[2]

e. Promote development of a Computer Center for the campus with necessary remote terminals to serve the specialized needs of various departments and offices of the college.

2. Advisory functions of the Committee shall include advising either directly or indirectly those organizations and administrative officials who have responsibilities in connection with or concerning aspects of the Computer Center.

3. Instances of activities of the Computer Committee's functions include but are not limited to:

a. Development of guidelines relative to time-sharing of computer facilities among the various classes of users.

b. Development of priority policies for use of computer facilities.

c. Development of formulae for the allocation of costs among the various users, including those classes of users who are funded outside the Computer Center budget.

d. Development of guidelines for specific programs and projects involving ties with other computers and computer centers, or outside funding of the college computer programs or facilities.

e. Development of formulae for the adequate staffing of the Computer Center.

f. Development of guidelines for purchase or rental of equipment or services for the Computer Center.

g. Development of guidelines for the fiscal operations of the Computer Center.

[2] A "computer" is defined as a general purpose analog or digital computation machine including all proper appurtenances, but excluding special-purpose laboratory equipment. Desk calculators costing $5,000 or less are specifically excluded. However, the Computer Committee recognizes that the definition of "computer" changes with time and reserves for itself the right to redefine the term periodically.

h. Participation in the selection of the physical location of the Computer Center and suggestion of standards for adequacy of physical facilities and location.

i. Hearing of appeals from various classes of users regarding the operation of the Computer Center.

j. Development of guidelines for advisory services to other colleges and the statewide system.

Membership. In view of the increased role that computers will play in the instructional, research, and administrative program of the college, it is essential that the membership be drawn from as broad a base as possible consistent with the efficient operation of the subcommittee. It is recommended, therefore, that membership on the committee include:

a. One member of the parent committee (IAC) as liaison. In addition, one liaison member from the Fiscal Affairs Committee. These liaison members will be elected by their respective committees annually from among their committee membership. (2 members)

b. The Director of Computing *ex officio*, who will serve as Executive Secretary.

c. One member from each School/Division. The faculty members in Administration, Counseling, and the Library shall be considered a division for this purpose. (6 members)

These members will be elected by the parent committee (IAC) from among a list of nominees provided by the schools/division. The members will serve staggered 3-year terms, determined initially by lot.

d. Vice President for Academic Affairs (or designee).

e. Vice President for Business Affairs (or designee).

Computer Center

(Senate: 2/3/70; President: 5/12/70)

The administration of the Computer Center shall be the responsibility of a Director of Computing[1] appointed through established procedures for administrative appointment. The Director shall:

a. Administer the operation of the Computer Center within guidelines recommended through the Academic Senate and approved by the President.

b. Supervise the Computer Center Manager (Data Processing Manager).

c. Provide guidance and leadership with respect to matters of computer equipment.

d. Provide for orientation and instruction of faculty, students, and staff with respect to the services of the Computer Center.

e. Assist users of the Computer Center with respect to matters of computer programming aids.

f. Report administratively to the Director of Institutional Research.

[1] The Director of Institutional Research will continue to serve as the Director of Computing until a position for the Director of Computing is obtained and staffed.

Administration of Government Grants

(Senate: 3/10/66; President: 3/22/66)

The following policies relate to grants and contracts for services which normally originate from sources outside the college, such as Peace Corps, Head Start, International Studies Project, etc.

Administrative and fiscal responsibility for all *grant projects* will be through the Dean of Academic Planning to the Vice President for Academic Affairs.

1. Continuing Programs. As continuing programs emerge, which involve more than one school, the Executive Committee of the Academic Senate shall act to establish an appropriate policy committee similar to the Peace Corps Policy Committee, and to name the college committee that shall assume jurisdiction.

2. Short Term Programs and Projects

a. *Information.* The Office of the Vice President for Academic Affairs shall notify the Executive Committee as well as the Deans of the several schools of all invitations to participate in grants or special projects which come to the college from outside sources and which may be of interest to more than one department of the college. Such a notice will not be deemed necessary if the sponsoring agency specifically requests the assistance of a given department or an individual faculty member.

b. *Inter-School Interests.* If departments in *more than one* school express an interest in the proposed project through the Dean, the Academic Vice President shall consult with the Deans and/or concerned departments and decide upon a course of action.

c. *Faculty Delegates for Special Assignments.* If the project offers individual faculty members an opportunity to participate as *college representatives* (e.g., International Studies Project) the following procedures shall be followed:

(1) If in the judgment of the Executive Committee of the Academic Senate the choice of the representative or representatives is deemed to be an all-college concern, the following steps shall be employed in selection of the representative or representatives.

(a) Each school shall set up screening procedures and submit recommendations to the Chairman of the Faculty Affairs Committee.

(b) The Faculty Affairs Committee shall review all nominations and submit recommendations to the President.

(2) *If in the judgment of the Executive Committee of the Academic Senate the choice of a representative is deemed to be of concern only to a single school, that school shall determine its own procedures for nominations to the President.*

Departmental Name Changes

(Senate: 11/8/68; President: 4/10/69)

Proposals for name changes for departments shall be submitted by the departments through appropriate school channels to the Instructional Affairs Committee of the College, through the Vice President for Aca-

demic Affairs, to the President after appropriate consultation. The action of the committee shall be reported to the Academic Senate.

Center for Urban Affairs

(Senate: 8/8/67; President: 8/14/67)

The Center for Urban Affairs is hereby established under the Office of the Vice President for Academic Affairs. A Director of Urban Affairs shall be appointed to administer the Center.

Purpose

Functions of the Center shall consist of initiation and/or operation of research, training, or community service programs relating to urban problems, through appropriate means and according to guidelines established through the Urban Affairs Committee.

Procedures

1. When an urban affairs research, training, or community service project is initiated at the request of an outside agency, such as a fund-granting federal agency or private foundation, the initial request shall be submitted to the Vice President for Academic Affairs or his designee. If the outside agency first approaches a school, department, or other unit of the college, that unit shall inform the Vice President for Academic Affairs or his designee of the request in as much detail as possible.

2. As soon as possible after receipt of the request, the Vice President for Academic Affairs or his designee shall make two tentative decisions:

a. (1) To designate the project as urban in nature and therefore falling within the scope of the Urban Affairs Committee, *or*

(2) To identify the project as not falling in the area of urban affairs and therefore subject only to the general terms of "Policies Relating to Government Grants," Sections 1 and 2. *And*

b. (1) To assign the requested project to a specific school or other unit of the college, where essentially only one such unit is involved and other units have only minor responsibilities, *or*

(2) To designate the Urban Affairs Center as the unit bearing the basic responsibility for the project where the project cuts across school or other unit lines and no one unit clearly predominates in terms of the project's expected purpose, structure, and staffing.

3. When a project is initiated within the college but will be funded from outside sources, an initial statement regarding the proposal shall be given to the Vice President for Academic Affairs or his designee prior to any application for funding. The Vice President for Academic Affairs or his designee shall then make the two tentative decisions described in 2 above. An exception may be made in the case of a proposal by an individual faculty member for a research project which involves no other college personnel and which clearly does not cut across school or equivalent unit lines. Even though such a project may have urban implications, the Vice President for Academic Affairs or his designee may give it tentative approval without submitting it to the Urban Affairs Committee, subject to approval of the appropriate department chair-

man and school dean, or equivalent administrators within the unit involved, and to the procedure in 4 below.

4. In all cases described in 2 and 3 above, the Vice President for Academic Affairs or his designee shall send a copy of the initial request or statement regarding the proposed project, together with a statement of his tentative decisions concerning it, to each member of the Urban Affairs Committee, the Faculty Affairs Committee, the Executive Committee of the Academic Senate, and the Council of School Deans. A period of ten working days from the date this information is mailed shall be allowed for objections to the tentative decisions made by the Vice President for Academic Affairs or his designee. If there are objections, those objecting will be given an opportunity to present their suggestions to the Urban Affairs Committee or (if the objection is to classification of the project as urban or non-urban) the Faculty Affairs Committee, for their recommendations to the Vice President for Academic Affairs or his designee. If there are no objections within the ten-day period, the tentative decisions become final.

Project Responsibilities

1. No urban-related project with outside funding shall be conducted under college auspices unless it has been approved by the Urban Affairs Committee and the Vice President for Academic Affairs or his designee, with the exception noted in 3 above.

The approval of school deans, department chairmen, and other administrators who have responsibilities for staff or college facilities involved in the project must also be obtained.

2. Selection of a director for an urban affairs project which has been approved shall be by the Vice President for Academic Affairs or his designee but shall require approval of the Urban Affairs Committee, in projects involving more than one major unit of the college. Where only one school or other major unit is involved, selection of the director shall be by the school dean or other administrative head of the unit, with the approval of the Urban Affairs Committee.

3. A project director shall be responsible for program, personnel, and budget to the dean or other administrator who has appointed him to the project. He will maintain adequate communication and consult with the heads of other administrative units involved but will not have line responsibility to them. The line of direct responsibility shall be clearly defined in writing at the time of the project director's appointment.

International Faculty Exchange Program

(Senate: 10/17/67; President: 10/30/67)

Definition. As used in these guidelines, the term "International Faculty Exchange Program" refers to the development and administration of continuing, long-range, institution-to-institution agreements with specific foreign institutions for exchange of faculty. Individual faculty arrangements under fellowships such as the Fulbright program, sabbaticals, or individual arrangements with foreign institutions do not fall within the purview of an institution-to-institution exchange program.

Procedures

1. Exploration on an informal basis of a possible exchange program with a particular university may be initiated by any school, department, or individual faculty member, as well as by the Office of the Vice President for Academic Affairs. In the interest of coordination, however, copies of all communications shall be submitted to the Office of the Vice President for Academic Affairs.

2. Formal proposals shall in all cases be submitted to the International Affairs Committee for its study and recommendation to the Office of the Vice President for Academic Affairs. Final approval shall be given by the President of the College through a signed agreement with the responsible official of the foreign institution.

3. The chief coordinator of the International Faculty Exchange Program in the Office of the Vice President for Academic Affairs shall be the Director of the International Faculty Exchange Program who shall be appointed in consultation with the International Affairs Committee and given assigned time as required.

4. Any formal exchange agreement which is concluded between this college and a foreign institution merely establishes a relationship within which exchanges may take place. Correspondence relative to the possible openings or available faculty at either institution will be conducted by the Office of the Vice President. All decisions as to our acceptance of foreign faculty or the possibility of releasing any of our own faculty from their teaching assignments so they may teach at the foreign university shall be made by the academic department and school or division concerned.

5. Establishment of an exchange relationship shall not imply a need for complete reciprocity. Any department or school at either institution may indicate its needs and consider available candidates from the other institution independently, without regard to the numbers or disciplines of faculty who have been or are scheduled to be exchanged in either direction.

6. Priority will be given to the establishment of exchange agreements with institutions which have a broad range of high-quality programs.

The Intercollegiate Program

(Senate: 3/19/64, 3/26/68; President: 4/15/64, 4/10/68)

Statement of Philosophy

Athletics at California State College, Los Angeles, should provide an opportunity for participation by qualified students in a variety of sports appropriate to the various interests, skills, and stages of development of the participants. The intercollegiate athletic program administered by the Physical Education Department shall strive to be consistent with the ideals and purposes of this institution in its pursuit of excellence.

Policies and procedures of the athletic program, in addition to adhering to the above principles, shall conform at all times to the letter and spirit of the rules and regulations of the National Collegiate Athletic Association and the Pacific Coast Athletic Association to which this college belongs. As members of the Pacific Coast Athletic Association, this college should aspire to attain the level of competition maintained in this group of like-member institutions. Further, California State Col-

lege, Los Angeles, should participate in all inter-collegiate sports programs which are recognized by the Pacific Coast Athletic Association and should strive to maintain an athletic program so as to be in competition for all championships offered.

The Athletic Board

Objectives

1. To provide a representative body drawn from faculty, administrators, and students.

2. To provide direction for the athletic program at California State College, Los Angeles, consistent with the statement of philosophy noted above.

3. To maintain communication with the Academic Senate, Associated Students Board of Directors, the administrators of the athletic program, and the President of the College.

Responsibilities and Functions

The Athletic Board shall recommend and interpret policy in the following specific or related phases of the athletic program. It shall not interfere with the appropriately designated prerogatives of the Department of Physical Education, or the School of Fine and Applied Arts within which it functions, or the Associated Students Board of Directors.

1. Conference affiliations.
2. Scheduling, recruiting and eligibility requirements not covered by conference rulings.
3. Alumni and community involvement, and public relations as related to athletics, in cooperation with the Office of the President.
4. Health and safety standards.
5. Scholarships and academic policies.
6. Role and emphasis of the several team and individual sports.
7. Financial policies as related to involved funds.

Membership

1. Three full-time faculty members to serve staggered terms not to exceed three years to be elected by the Academic Senate.

2. Three students in clear standing as defined by the Registrar, elected by the Board of Directors of the Associated Students.

3. The College Representative to the Conference appointed by the President of the College from a list of at least three nominees provided by the Academic Senate.

   a. Such person shall not be a member of the coaching staff.

   b. The term of appointment to be at the President's discretion. The position should be among those requiring annual review by the President and the Executive Committee of the Academic Senate.

   c. Such person shall be the Chairman of the Athletic Board.

4. The Director of Athletics, ex officio, nonvoting.

Policy

1. All policy statements of the Athletic Board must be approved by the President of the College.

2. Policy statements shall be submitted to the Academic Senate CSCLA and the Board of Directors of the Associated Students CSCLA for their recommendations prior to action by the President.

Amendment

Any changes in this document must be approved both by the Academic Senate CSCLA and the Board of Directors of the Associated Students CSCLA.

Public Expression Areas

(Senate: 10/15/68; President: 11/18/68)

1. The public expression areas shall be those sites officially designated by the President of the College upon the recommendations of the Student Affairs Committee.

2. Use of the public expression areas shall be limited to CSCLA faculty, staff, students currently enrolled and continuing students as defined by College policy, and invited off-campus speakers. Policies governing the appearance of invited off-campus speakers are prescribed by the *Visiting Speakers Policy*.

3. Responsibility for recommending operational procedures to the President of the College and for administering these procedures for the use of the public expression areas is vested in the Public Expression Areas Committee of the Associated Students BOD.

4. Any materials or publications sold or distributed shall be in compliance with the current *President's Directive Regarding Use of State College Buildings and Grounds*.

Visiting Speakers

(Senate: 10/15/68; President: 11/18/68)

Invitations to off-campus persons to speak at California State College, Los Angeles shall be issued in compliance with the following policy.

1. Events sponsored by recognized student, faculty, or employee organizations, or by individual faculty members, when open to the entire college community.

a. The organization shall notify the Committee on Visiting Speakers, which is a subcommittee of the Student Affairs Committee, of the speaker's name, affiliation, topic, and the time and place of his speech, at least three school days prior to the event.

If the scheduled speaker is unable to appear because of an emergency or extenuating circumstances, the Committee on Visiting Speakers may waive the time requirement so that a substitute may be named on shorter notice.

b. If requested to do so by the Committee, the sponsoring organization shall provide an opportunity for an exchange of views in the

course of the event, and shall attach as a condition to its invitation to the speaker that he consent to such an arrangement.

c. When requested to do so by the Committee, the sponsoring organization shall issue a reminder that the appearance of a speaker on the campus does not imply college approval of either his views or of any organization to which he may belong.

d. Organizations which have in good faith carried out these procedures shall not have permission withheld because the invited speaker is controversial or unpopular.

2. Meetings sponsored by recognized student, faculty, or employee organizations when open only to their own members.

a. With respect to meetings open only to members of the sponsoring organization, no review by the Committee on Visiting Speakers is required.

b. "Student organizations" mean here special interest groups and not, of course, the "Associated Students" or any organization comprising the entire student body. Their activities would be governed by the policy outlined under Section 1 above.

3. Regularly scheduled classes addressed by visiting speakers.

a. Neither the Committee on Visiting Speakers nor any other college agency shall review invitations by faculty members to visiting speakers who come to address their classes.

b. Relevant to such an occasion are certain portions of the "Statement on Professional Ethics," printed in the *Faculty Handbook*.

Electronic Recording of Visiting Speakers

(Senate: 2/20/68; President: 2/27/68)

The lectures, remarks, or other expressions of a visiting speaker may only be electronically recorded by otherwise unauthorized persons if both the speaker and the faculty adviser of the sponsoring organization (or his designee) consent. This permission shall be in writing; it shall include an indication of any limitations to be placed on the future use of the recording; and it shall require the signatures of both the visiting speaker and the adviser (or his designee). A copy of this permission form shall be filed in the Office of the Director of Student Activities. One may be retained by the adviser.

Minority Group Studies

(Senate: 4/16/68; President: 4/26/68)

The Academic Senate CSC urges the colleges and their departments to consider without delay the necessity and desirability of modifying curricula and of introducing new courses and programs such as Afro-American history, Mexican-American history, Black Studies, African Languages, etc.

The Academic Senate CSCLA recommends that each of the schools and departments consider without delay the necessity and desirability of modifying curricula and of introducing new courses and programs to implement the resolution of the Academic Senate CSC.

Development of Off-Campus Housing

(Senate: 5/13/69; President: 5/16/69)

The Academic Senate CSCLA supports the action of the Foundation Board of Trustees below:

The Board of Trustees of the California State College at Los Angeles Foundation desires to proceed with an agreement for a management contract upon the development of off-campus housing provided that: (1) proper safeguards can be secured to protect the Foundation from financial liability; (2) adequate consultation be implemented at the campus level, including, but not limited to, the Academic Senate; and (3) approval be secured from the Board of Trustees of the California State Colleges.

College-Recognized Off-Campus Housing

(Senate: 5/13/69; President: 6/20/69)

1. The College recognizes residence developments and presupposes the establishing of a functioning student self-government with appropriate substructures. The College by design does not determine specific rules or regulations for the residence halls.

2. Differences between the student government representing either the entire resident body or an individual resident and the management may be appealed to the appropriate in-residence hall committee. In this instance, either the management or the duly constituted residence hall student government may appeal decisions to the College. This appeal may be made only after all in-residence hall procedures have been exhausted.

3. The Subcommittee on Student Housing of the Student Affairs Committee will function as a mediating board in matters referred to it by the student government or the management of the residence hall. Recommendations of the mediating board shall be transmitted to the residence halls with copies to the appropriate college offices. At least one member of the Subcommittee on Student Housing shall serve on any board appointed by the Subcommittee to review appeals. Recommendations by this Subcommittee may include withdrawal of College recognition only when the residence hall management refuses to take the steps necessary to correct violation of the College recognition standards, or refuses to mediate its disagreements with the duly constituted residence hall student government.

Works of Art

(Senate: 2/3/70; President: 2/9/70)

Policies

1. The patio of the Fine Arts Building shall be regarded as the only outdoor display area of the Art Department, when a schedule has been approved by the Dean of the School of Fine and Applied Arts. This area is defined as being limited on the north, west, and south by the walls of the building and by the first north-south sidewalk to the east.

2. If a department or an individual desires to place any object in any area other than that which has been defined as the only outdoor display area, the department or individual must follow established procedures of the College for the acceptance and placement of nonpermanent objects. Material placed outside the designated area, without prior approval, shall be subject to removal by the College.

3. Public areas which do not fall under these procedures are those display rooms, cases, corridors, and reception areas which have been specially designated and equipped for temporary display.

Procedures

1. College acceptance and placement determination of permanent works of art, for display in public areas (which are defined as all exterior portions of the campus and interior lobbies, corridors and reception areas) at California State College, Los Angeles shall be initiated by a College sponsor. A sponsor is defined as any person or persons officially connected with the College.

2. All prospective donors or lenders should obtain the services of a responsive College sponsor who shall provide a copy and description of the tendered work of art to the Campus Planning and Beautification Subcommittee of the Fiscal Affairs Committee.

3. Procedures relative to the acceptance and placement of works of art for permanent display at California State College, Los Angeles shall be as follows:

a. Donor or lender shall acquire a College sponsor.

b. The sponsor shall present the proposal for the work of art to the Campus Planning and Beautification Subcommittee to initiate the College review process.

c. The Campus Planning and Beautification Subcommittee shall refer all matters relative to acceptance and placement of permanent works of art to the standing Subcommittee. The five-man standing Subcommittee shall be established by the Campus Planning and Beautification Subcommittee to include one member from the Fiscal Affairs Committee and one member from the Art Department, with a three-year tenure of staggered terms to insure continuity. The standing Subcommittee and the Campus Development Office shall arrive at a mutually agreeable recommendation to be presented to the Campus Planning and Beautification Subcommittee. Upon appraisal of the standing Subcommittee report, the Campus Planning and Beautification Subcommittee shall make a recommendation relative to the work of art to the Fiscal Affairs Committee.

d. The Fiscal Affairs Committee shall consider the proposal submitted in terms of fiscal feasibility pertaining to immediate and long-range costs and forward the proposal to the Academic Senate with pertinent recommendations.

e. Upon review and recommendation, the Academic Senate shall forward the combined recommendations, relative to the specific work of art, to the College President, who shall approve or disapprove the acceptance and placement of art form.

Naming of Buildings, Facilities, and Improvements

(Senate: 5/26/70; President: 6/8/70)

Background

The State College Presidents in 1950, and subsequently the State Board of Education, favored a policy of not naming buildings or facilities for living persons. Therefore, it was resolved by the Trustees of the California State Colleges that names of buildings or facilities would be approved for one or more of the following purposes:

1. To honor deceased persons.
2. To designate the function of the building or facility.
3. To reflect natural or geographical features.
4. To reflect a traditional theme of a college.

Only the Board of Trustees of the California State Colleges is empowered to deviate from this policy.

Policy

Buildings, facilities, and improvements shall be named:

1. To honor deceased persons of national or international prominence, and/or who have made outstanding contributions to the development of California State College, Los Angeles.
2. To designate the function of the building or facility.
3. To reflect natural or geographical features.
4. To reflect a traditional theme of the college.

Procedures

1. All proposals for naming buildings, facilities, or improvements shall be made in writing to the Campus Planning and Beautification Subcommittee by an individual member of the faculty, staff, student body or a representative of a recognized campus organization who will act as the sponsor. In addition to petitions and endorsements in support of the proposal, the following information, as appropriate, implementing the policy above shall be forwarded to the Subcommittee:

   a. Biography of person to be honored.

   b. Statement substantiating the rationale and appropriateness of proposed name.

   c. Description of the features and their significance pertaining to the facility.

   d. Resume of the theme relating its relevance to the facility and the college.

2. Following their receipt, the Campus Planning and Beautification Subcommittee shall publicize all the proposals, at least one month prior to consideration, by use of the following means.

College Times
Brimstone (Alumni)
Faculty Bulletin
Campus Mail Distribution List III
Campus Posting
Written Notification to College Organizations

3. Arguments in support or opposition to all proposals may be submitted by individuals, representatives, or organized groups, and representatives of the occupants of the buildings or facilities in question, to the Office of Campus Development at least one week prior to the meeting of the Subcommittee at which the matter is to be considered. An open hearing may be appropriate.

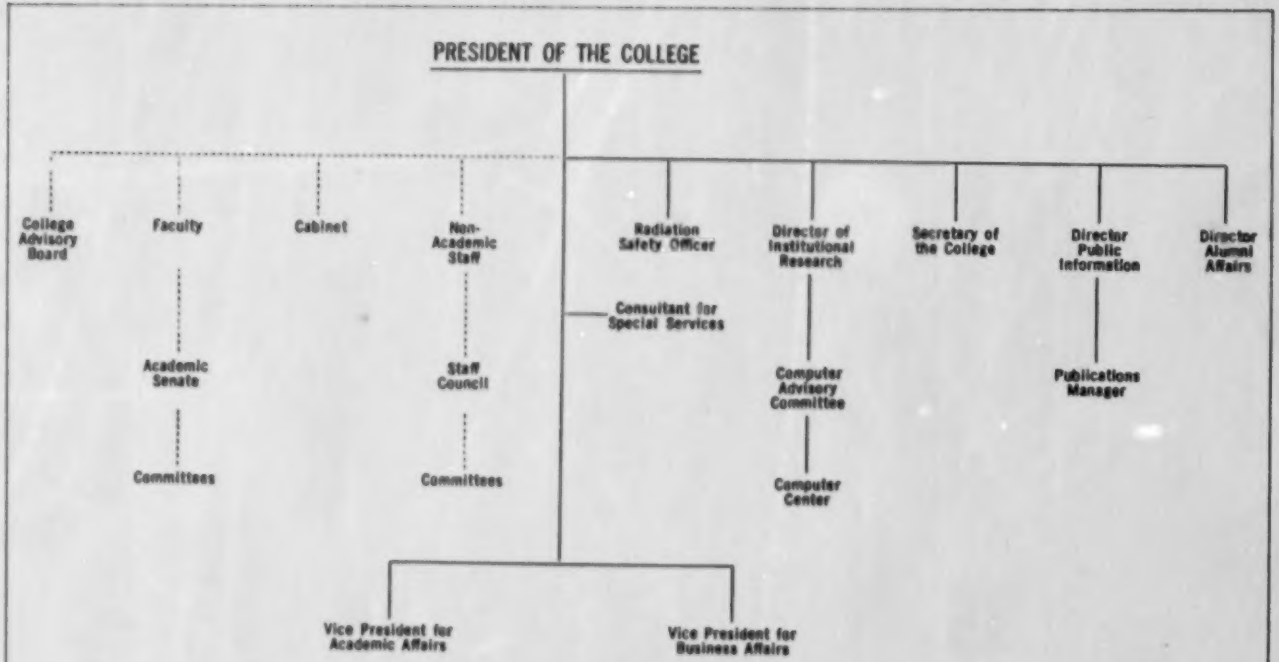
4. Recommendations made by the Campus Planning and Beautification Subcommittee will be transmitted to the College Fiscal Affairs Committee, who in turn will transmit its action to the Academic Senate, who in turn will transmit its action to the President of the College.

5. The President will approve or disapprove the proposal that has been referred to him. If the President approves the proposal, it will then be transmitted to the Board of Trustees of the California State Colleges for final action.

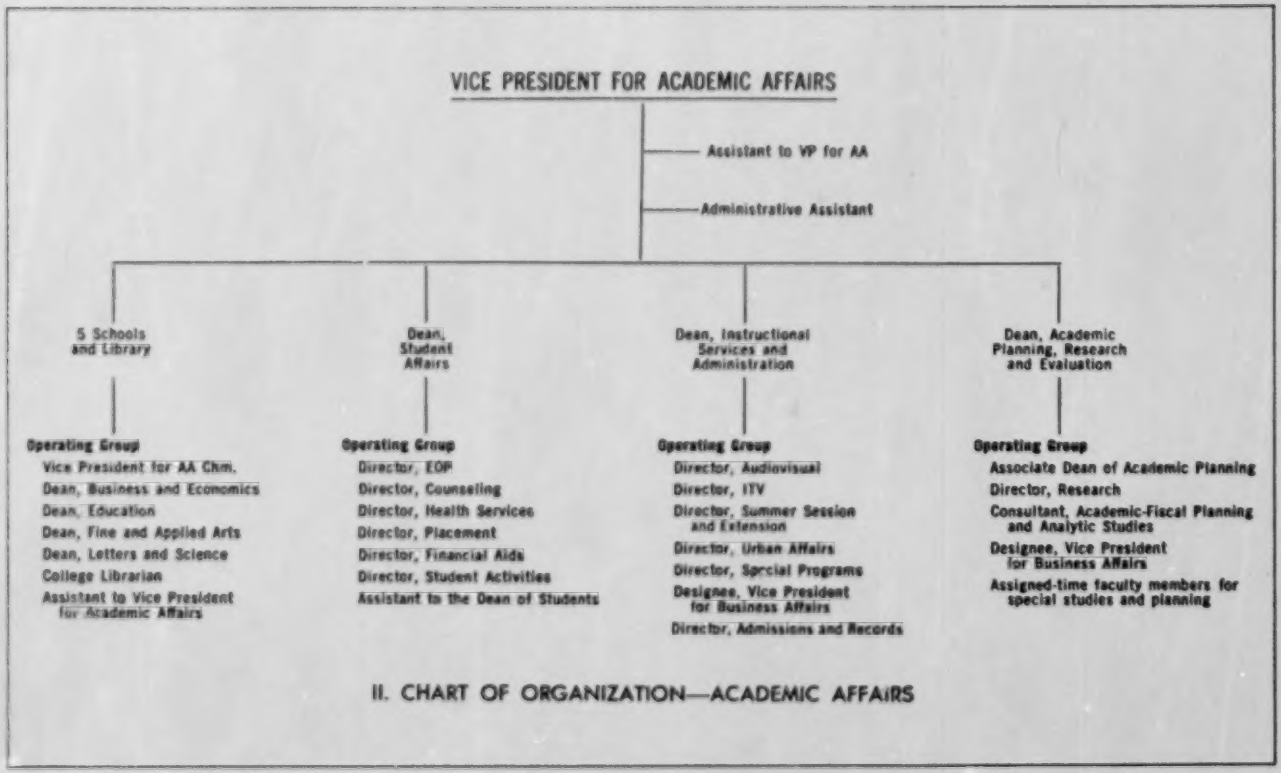
Parking Policy

(Senate: 4/2/69; President: 4/10/69)

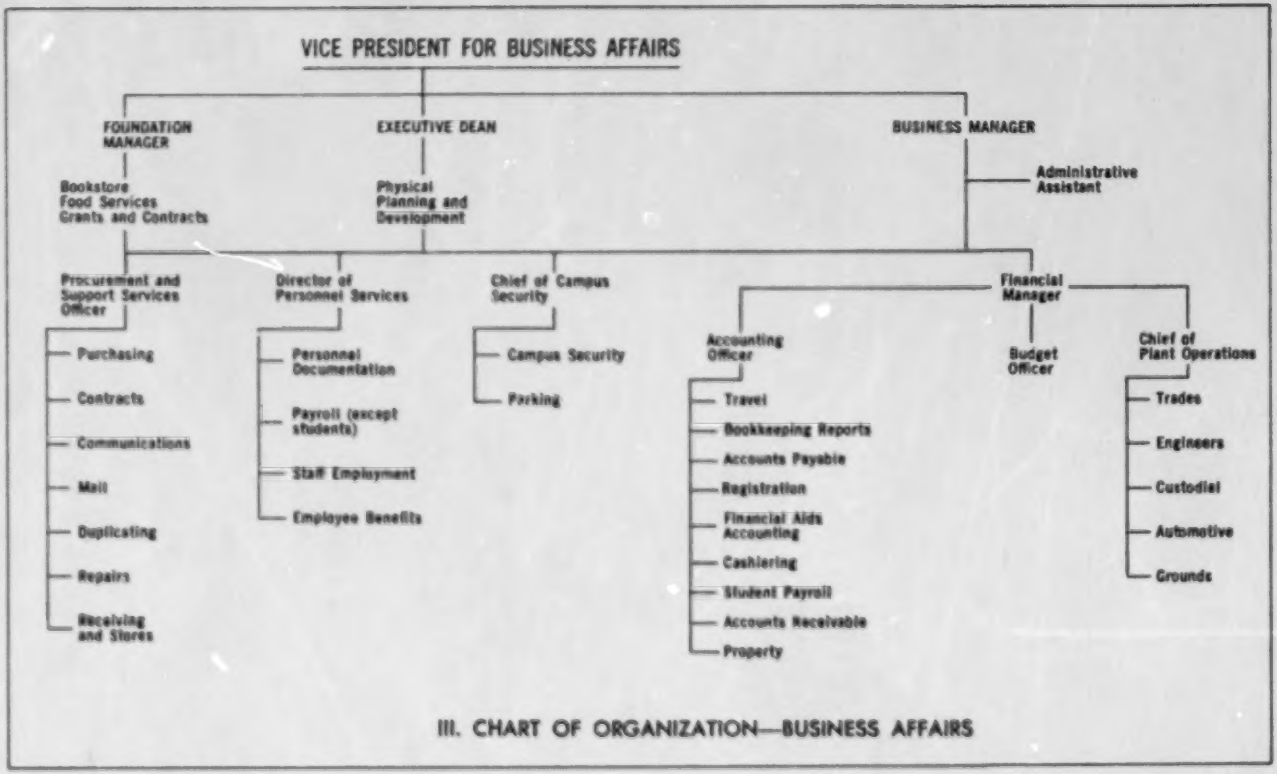
Faculty and staff shall have priority in the use of the available plateau parking, with adequate provisions for handicapped and temporary (visitors, delivery, loading, etc.) parking. Within this policy all possible plateau parking space shall be allocated for student use and the current practice of converting faculty/staff spaces to student use during the evening shall be continued.



I. CHART OF ORGANIZATION—ADMINISTRATION



II. CHART OF ORGANIZATION—ACADEMIC AFFAIRS



III. CHART OF ORGANIZATION—BUSINESS AFFAIRS

5

Personnel Policies

Appointment, Retention, Tenure, Promotion, Non-Reappointment, Dismissal and Appeal

(Senate: 5/25/67, 4/21/69; President: 7/11/67, 4/15/69)

Appointment

Written information concerning personnel policies and procedures is given to each faculty member at the time of his appointment.

The appointment of new faculty members is based upon procedures paralleling and anticipating those explained below in connection with retention, tenure, and promotion. Except for special cases, e.g., faculty members employed specifically for one year only (normally as a replacement for a faculty member on leave), each newly appointed faculty member is assumed to be a candidate for retention, tenure, and promotion in due course. Hence his professional qualifications and performance are scrutinized according to criteria uniform for all faculty members.

Requests for additional faculty members originate in the office of the department chairman. The department chairman is assisted by his department appointments committee or other representative faculty group, with which he regularly consults upon each requested appointment. Extensive and relevant information is compiled in formal dossiers, including records of training, experience, and professional activities, as well as recommendation from individuals best qualified to pass accurate judgment upon candidates. The substance of this information is forwarded to the school dean by the department chairman, together with the recommendation of the faculty group with which he has consulted. The school dean in turn consults with the department chairman, and with other faculty members where such consultation seems necessary or helpful.

The chief factors weighed in evaluating qualifications for appointment are instructional ability and success, training, professional achievement, research ability, and quality of recommendations.

Personnel Information and Personnel Reports

Upon appointment, the faculty member shall annually be invited to record his or her accomplishments and contributions to the college in a letter or other written statement on a personnel information form provided by the school/division addressed to his department chairman, with a copy to his dean. The letter or statement shall be invited each

year, whether the concern is with retention, tenure, promotion, a combination of these, or merely the recording of the faculty member's accomplishments and contributions to the college as a matter of general interest and value to the college and the faculty member. It is assumed that chairmen, committees, and the college in general will be interested both in the faculty member's chief accomplishment(s), wherever they may lie, and in the nature and scope of his activities with respect to the three general categories as specified below in Part 4. But the items of inclusion in the letter or statement and the structure of emphasis shall be at the faculty member's own choice and discretion.

Failure to respond to the department chairman's invitation shall not in itself be deemed prejudicial. The faculty member, however, should be alert to the possibility that factual material about any aspect of his work may be hard to come by if not provided by him. When submitted, the letter or statement shall be filed in the personnel file of the faculty member and shall be used as one of the bases for retention, tenure, and/or promotion, whichever shall apply.

It is the duty of the department chairmen to counsel faculty members concerning the factors that will add strength or that affect status. It is the right of every faculty member to request such counsel at any time. It is the duty of the committee designated to survey the faculty member's accomplishments, to summarize annually, in the form of a letter to the dean, the department committee's judgment of the faculty member with respect to his general and specific accomplishments during the year past, ending with a specific recommendation for or against retention or tenure. Such a letter must be written in the years when the faculty member is eligible for consideration for promotion. The department chairman shall be presumed to share this opinion and recommendation unless he specifically states otherwise in a separate but accompanying letter, which shall be shown to the members of the committee with whom he differs.

The faculty member shall be informed of the contents of the letter on behalf of the department committee, and of the department chairman's letter of personal dissent where one exists; and he shall be given the right to object to any statement in either letter, in which case his own position of dissent shall be forwarded to the dean, along with the opinion of the department committee, and of the department chairman where his opinion differs from that of the department.

No numerical rating shall be employed in the annual departmental evaluations or recommendations as forwarded by the chairman or in his separate recommendations where such exist. Policy with respect to ranking (as opposed to rating) in departmental recommendations shall be determined by each school division.

Like the letter of information or statement annually invited of the faculty member, the annual letter or letters of department opinion shall be filed in the personnel file of the faculty member in the office of the dean. The entire file shall be made available to members of the school/division and department retention, tenure, or promotion committees, whichever may be appropriate in a given year.

Policy as to Change of Rules

If a change in these rules makes a faculty member ineligible for retention, tenure, or promotion, he shall be considered under the rules in effect at the time he was employed.

Policies and Criteria Governing Retention, Tenure, and Promotion

The annual evaluation of the faculty member for retention and tenure, and where eligible for promotion, is based upon a comprehensive study of his qualities, achievements, and promise during the year or years preceding the evaluation. Attention is given to forming a general "profile" or comprehensive estimate of the faculty member's performance and equally to his special interests and accomplishments.

This study is cumulative in the sense that the progress or growth of the faculty member beyond his first year is a factor of evaluation, and it is comparative in the sense that the faculty member is evaluated against the performance of his colleagues rather than as an isolated case. He is also evaluated against a generally agreed-upon set of standards for professional performance. These may be conveniently divided into three general categories: instructional performance, professional achievement, and contributions to the college.

Although the method of evaluation described above applies to retention, tenure, and promotion alike, it is recognized that some qualitative difference should prevail as regards retention, tenure, and promotion, respectively. This difference, however, is one of degree, not kind; and it may be summed up under the concept of growth or progress. At the time of selection and appointment, and of the annual evaluation of the faculty member for retention during his pre-tenure period, he is judged on his performance, and on his promise, on matters such as his professional standards in the classroom, his discriminating use of subject matter, his preparation of students for particular academic goals, his continuing scholarly mastery of his field and his activity in professional organizations or endeavors, and his awareness of, and participation in, departmental, school, and college affairs.

At the time of his candidacy for tenure, a review of his total performance in all such ways as are exemplified above is conducted, with special consideration of the continuity and growth of the activities comprising this total performance, and with particular appraisal of his actual or probable promotability on the basis of such a background. Where this last appraisal is unsatisfactory or negative in the judgment of his colleagues, it shall be ground for the denial of tenure, since the question of promotability is implicit in the assumption of growth, which is itself a major criterion for retention and tenure.

His evaluation for promotion, in turn, re-emphasizes both the aspect of growth and his total performance in the ways suggested above, and increases the emphasis upon individual performance. The scope and depth of his teaching performance, the degree of his professional recognition within and beyond the college, and the distinctiveness of his contributions to the solving of problems and the general welfare of his department and school within the college, represent some of the levels on which evaluation for promotion is made. In addition, such evalu-

ation shall incorporate explicit consideration of the faculty member's individual achievements, of whatever kind, and of their value to him as a professional person and to the college.

Retention and Tenure

Procedures. Each pre-tenure faculty member is evaluated annually, by a formal process beginning in his department, to determine whether he shall be retained for the following year. The faculty member obtains tenure after having rendered four consecutive years of service and upon meeting his appointment for the fifth consecutive year. (For exceptions, see *Administrative Code, Section 43560.*) The discovery of extraordinary merit during any year of pre-tenure evaluation may result in the recommending and granting of promotion, provided that the rules and conditions pertaining to promotion, as set forth elsewhere in this handbook, are met.

Each school/division of the college has a formal procedure for evaluating each pre-tenure faculty member's development annually, which includes the deliberations of a committee of tenured faculty.* The departments of each school/division have corresponding procedures. In the course of each pre-tenure year, the departments recommend reappointment or non-reappointment to the schools/division which in turn make recommendations to their deans. Recommendation for retention or tenure shall be by no less than a majority vote of the department committee. For the school committee to overrule a department decision regarding retention or tenure, there must be a two-thirds majority. Official decision for the college is made by the President. If non-reappointment is recommended, the reasons for such a decision are indicated in the reports of departments to the school/division committees, and through these to the deans. Any varience from this system necessitated by the small size of the school or other relevant factor must be approved by the college Committee on Faculty Affairs.

Non-reappointment. The college is under no obligation to provide probationary faculty with a statement of reasons for non-reappointment. However, a probationary faculty member will have an appropriate annual departmental evaluation by his colleagues, and he will be informed within reasonable time each year of the substance of the evaluation. He will ordinarily be given an opportunity to discuss formally with appropriate faculty and administrative officials the specific reason why reappointment may be in doubt before notice of non-reappointment is given.

When a faculty member is not being recommended for reappointment, he is notified in writing of his status. If he is not to be reappointed at the end of his first year, he shall be notified that his services will terminate at the end of that college year. This notification shall be given by the President not later than March 1 for those whose periods of four consecutive quarters (within which three quarters constitute his academic year) begin with the Summer or Fall quarter. Notification shall be given not later than September 1 for those whose periods of four consecutive quarters begin with the Winter or Spring quarter (*Administrative Code, Section 43566*).

* For these purposes, administrators and counsellors with class and rank are considered a division; librarians, another. Each of these divisions has its own procedures.

If a faculty member is not to be reappointed after having served more than one year, where tenure is not involved, he shall be notified not later than December 1 that his services shall terminate at the end of that college year, except that if at the end of the college year he has not completed his academic year, his services shall terminate at the end of his academic year (*Administrative Code, Sections 43560.5 and 43566*).

If he is not to be reappointed, where tenure is involved, he shall be notified not later than December 1 that his services shall terminate at the end of the college year or, if he is appointed to a "terminal-notice" year,* at the end of the succeeding college year (*Administrative Code, Section 43561*).

Tenure. As explained above, the faculty member obtains tenure after four consecutive years of service and upon meeting his appointment for the fifth consecutive year, unless the fifth year is a "terminal-notice" year. The normal pattern of according tenure involves three years to assess a faculty member's performance, a fourth year for final appraisal and review, and, for those not accorded tenure, a fifth "terminal-notice" year (*Administrative Code, Section 43560*). The faculty member shall be required to serve only one probationary period for tenure in a given college (*Administrative Code, Section 43562*). A pre-tenure faculty member who transfers from one college to another within the state system takes up to two years of his accrued tenure time with him. A tenured faculty member who so transfers will serve one probationary year at his new college (*Administrative Code, Section 43560*).

Appeals. In the event of a denial of retention or tenure by the school/division, a faculty member may appeal to the Faculty Grievance Committee through the President of the college.

If a faculty member on probationary appointment alleges that a decision not to reappoint him is caused by considerations violative of academic freedom, his allegation shall be given preliminary consideration by the college Committee on Academic Freedom and Professional Ethics. If the committee concludes that there is probable cause for the faculty member's allegation, the matter shall be heard. The faculty member will be responsible for stating the grounds on which he bases his allegations and the burden of proof will rest upon him.

Promotion

Procedures. When the basic rules and conditions for promotion are met, formal consideration of each faculty member for promotion is obligatory in departments and schools/division when the faculty member arrives at the maximum salary of any particular salary bracket, and each year thereafter until promotion.

It is the policy of the college that the doctor's degree or equivalent attainment shall be the desirable qualification for promotion. Except for those instances when faculty members, because of reputation, stature, and maturity, become worthy of consideration for promotion, the doctorate is mandatory beyond the assistant professor level for promotion in those fields where the doctorate is common. Where (1) the doctorate is not common, or where (2) professional or vocational experience is

* The "terminal-notice year" must be completed within the 12-month period immediately following the fourth year of service. (Senate: 7-29-70, President: 8-25-70).

highly beneficial to a college program, a department shall petition its school/division through the appropriate committees, for approval to establish criteria governing eligibility for consideration for employment or promotion, Class I, associate professor or professor level. The school/division shall judge the petition solely on the two points above. Once authorized to establish criteria, the department shall be responsible for establishing its criteria and for maintaining the criteria as matter of public record.

Nominations for promotion are initiated through a formal process in the faculty member's department, and sent to the school/division promotion committee. Where the department chairman disagrees with the nomination proposed by those of his colleagues designated to evaluate the faculty member, the opinions of both shall be forwarded to the school/division committee, which in turn makes its own recommendation to the dean. All available evidence of merit and relevance concerning the eligibile faculty member is considered by the committees and department chairmen involved, and reviewed by the school/division committees.

The final measurement of merit is a performance profile in which each separate item is considered on its own strength and in relation to the others. The data of the evaluation of each faculty member eligible for promotion are synthesized by the department chairman in a report which shall include both a statement and an evaluation of his achievements. This report is filed in the office of the school dean. It shall be the duty of the department chairmen to inform faculty members of their evaluation and to counsel them concerning factors that will add strength to or affect their status.

Committees, Systems of Evaluation, Calendar. Each school/division shall establish, by a majority vote of those faculty members voting, promotion committee(s). Each committee shall be composed of five (5) or more tenured faculty members of associate professor or professor rank nominated and elected by school/division faculties at large. Non-elected members, if any, shall not constitute more than one fourth (¼) of the total committee. A promotion committee member must be represented by an elected alternate when the committee is deliberating and voting on members of his department. Any variance from this system necessitated by the small size of the school or other relevant factor must be approved by the college Committee on Faculty Affairs. The school dean or his designee shall be a non-voting member. This committee will consider recommendations for promotion, and recommend to the dean who will transmit these recommendations to the President with his own recommendations attached. If the school dean recommendation differs from that of the committee, the committee will be so informed in each instance.

The school dean shall be responsible for maintaining files on all faculty personnel and for gathering data for those files.

Calendar for recommendations and announcements of promotions:

1. Recommendations for each department shall be made to the school/division promotion committee on a date determined within the school/division.

2. Recommendations for promotion by the school deans shall be made to the President/Vice President by February 15.

3. Announcement of promotions by the President shall be made not later than February 23.

The state now limits the percentage of faculty members within each academic rank as set forth in the *State College Administrative Manual, Section 7360.10.* These limits are:

Academic Rank	*Percentage Range* *Minimum*	*Maximum*
Professor	25	35
Associate Professor	20	25
Assistant Professor	25	35
Instructor	15	20

Each school/division is authorized to recommend for promotion its faculty to the degree that personnel holding upper ranks do not exceed 58% of the total faculty of the school/division total faculty. The remaining 2% is to be allocated by the President with the recommendations of the Faculty Affairs Committee. These recommendations will be based primarily upon statistical distribution, appointments, retirement, resignation predictions, and the ability of a school eventually to return to the 58% limitation. No "trading" of authorizations shall be permitted among the schools/divisions.

Each school/division committee shall consider for promotion those faculty members who are eligible in all respects as of February 1 of the college year of consideration and who have arrived at the maximum salary bracket, with or without tenure. Consideration will continue annually thereafter until promotion. The school/division committees shall also consider for promotion any other faculty members specially recommended to them even though they have not achieved the maximum salary and/or tenure, including, but not limited to, those recommended by the department chairmen, colleagues, or committees of the departments.

Each school/division shall establish a formal system of evaluating their faculty. Each system must include, as a minimum, methods of collecting information about and evaluation of: (a) instructional performance; (b) professional achievement; and (c) other contributions to the college. The school/division complete evaluation and promotion procedure must be submitted to the Faculty Affairs Committee each year for review and filing prior to the end of the fifth week of the Spring Quarter preceding the college year in which it is to be effective. Departmental evaluating procedures will also be filed with the Faculty Affairs Committee by that deadline. Any subsequent amendments to the procedure must abide by the same deadline.

Appeals. The faculty member has the right to appeal a department decision against promotion. In the event of failure to be recommended for promotion by the school/division when technically eligible, the faculty member has the right of appeal to a properly designated standing appeals committee of his school/division. Appeals must be presented to the appeals committee via the dean of the school/division involved within 30 days after the publication of the promotions list by the President. The appeals committee of the school shall in turn present its recommendation to the dean within 60 days following the publication of the promotion list. Only in unusual circumstances (e.g.,

health or geographical problems making a rapid appeal extremely difficult) may these time limits be violated. If the faculty member desires further evaluation of his case, he may appeal to the Faculty Grievance Committee through the President of the College.

Dismissal

A faculty member may be dismissed at any time for the causes set forth in *Education Code, Section 24306.* (See Appendix E.) Dismissal for cause should not be construed as, or confused with, the withholding of retention or tenure. Dismissal may be ordered only by the Trustees of the California State Colleges, acting upon the recommendation of the President, determined after consultation with the school dean and department chairman. Review of dismissals for cause shall be made only upon the request of the individual to be dismissed. Appeals from actions of dismissal for cause may be made to the State Personnel Board within twenty (20) days of receipt of notice from the Chancellor, as provided in *Education Code, Section 24309.* For other details, see *Administrative Code, Section 43524,* and *Education Code, Sections 24306, 24307, and 24308.* (See Appendix E.)

A faculty member may be suspended temporarily by the President or the Chancellor, as provided in *Administrative Code, Section 43522,* when there is strong and compelling evidence that his presence in his position might create serious problems. Suspension shall be followed by investigation and, where indicated, the furnishing of formal notice of disciplinary action. Unless earlier terminated by the President or the Chancellor, such temporary suspension shall automatically terminate upon the furnishing of formal notice of disciplinary action or, unless extended as provided by *Administrative Code, Section 43522,* 30 days after its commencement, whichever first occurs. (See Appendix E.)

Procedures to be followed involving possible dismissal are on file with the college Committee on Faculty Affairs.

Evaluation of Faculty Serving as Administrators

(Senate: 4/28/70; President: 6/11/70)

When a faculty member serving in an administrative position is nominated for or must be considered for promotion, retention, or tenure, the School shall establish an ad hoc committee to develop a written evaluation of his administrative service by interviewing those administrators and faculty who normally come into contact with him. This evaluation shall be submitted to the departmental committee. The departmental committee shall consider the written evaluation of the *ad hoc* committee, as well as other evidence normally considered with regard to promotion, retention, and tenure. It is understood that of the three general categories, instructional performance, professional achievement and contributions to the college, the faculty member serving as an administrator would normally contribute most to the last category. However, it is expected that he will not neglect all academic pursuits and will have made some contributions in instructional performance and professional achievement. The department recommendation shall be forwarded to the appropriate school committee.

Promotion of Mature Faculty for Meritorious Service

(Council: 5/24/62; President: 1/17/66)

A faculty member, after ten years of exceptional service and the attainment of age 63, and in view of impending retirement, may be considered for promotion to the next higher rank, although not possessing the requirements making him eligible for consideration for promotion as stated in the official college criteria. Such promotion may or may not be granted depending upon the outcome of the evaluation of his performance by appropriate college procedures as to the exceptional quality of his services. The usual criteria of merit must be applied, and the faculty member under such consideration will simply become eligible for consideration along with others of his rank.

Advancement of Faculty from Class I to Class II

(Senate: 9/10/66; President: 12/1 66)

The policy outlined in FSA 66-62, "Interim Procedure on Requests for Changes in Faculty Assignment—Class I to Class II" of September 29, 1966, shall be implemented on this campus by (a) the inclusion of the following criteria: a distinguished record of publication, or exhibition, or performance at a national or international level; and (b) review conducted by a specially constituted committee at the college level. [A copy of FSA 66-62 may be seen in the Office of the Secretary of the College.]

Academic Freedom, Professional Ethics, and Faculty Rights

(Senate: 1/19/67; President: 1/31/67, 2/6/67)

Principles of Academic Freedom *

1. The faculty member is entitled to freedom of discussion in the classroom and on the campus. It is here assumed that discussion in the classroom is relevant to the subject matter taught, although no formula predetermining relevance either can or should be imposed.

2. The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his duties.

3. The college or university faculty member is a citizen and a member of a learned profession. When he speaks or writes as a citizen, he is free from institutional censorship or discipline. At the same time, he will recognize his responsibilities as a member of a learned profession.

Statement on Professional Ethics †

1. The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special re-

* The limitation of these statements to issues particularly affecting faculty members, in keeping with the scope of this handbook, does not imply that issues of academic freedom affecting student members of the college community may not properly be brought before the Committee on Academic Freedom and Professional Ethics when such questions have not been resolved by the college administration.

† Reference: American Association of University Professors, Committee B recommendation, *A.A.U.P. Bulletin*, Spring, 1966, pp. 57 and 58; and minor editorial emendations in the foregoing approved at the Annual National Meeting of the A.A.U.P. in Atlanta, Georgia, April 1966.

sponsibilities placed upon him. His primary responsibility to his subject is to seek and to state the truth as he sees it. To this end he devotes his energies to developing and improving his scholarly competence. He accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. He practices intellectual honesty. Although he may follow subsidiary interests, these interests must never seriously hamper or compromise his freedom of inquiry.

2. As a teacher, the professor encourages the free pursuit of learning in his students. He holds before them the best scholarly standards of his discipline. He demonstrates respect for the student as an individual and adheres to his proper role as intellectual guide and counselor. He makes every reasonable effort to foster honest academic conduct and to assure that his evaluations of his students reflect their true merit. He respects the confidential nature of the relationship between professor and student. He avoids any exploitation of students for his private advantage and acknowledges significant assistance from them. He protects their academic freedom.

3. As a colleague, the professor's obligations derive from common membership in the community of scholars. He respects and defends the free inquiry of his associates. In the exchange of criticism and ideas he shows due respect for the opinions of others. He acknowledges his academic debts and strives to be objective in his professional judgment of colleagues. He accepts his share of faculty responsibilities for the governance of his institution.

4. As a member of his institution, the professor seeks above all to be an effective teacher and scholar. Although he observes the stated regulations of the institution, provided they do not contravene academic freedom, he maintains his right to criticize and seek revision. He determines the amount and character of the work he does outside his institution with due regard to his paramount responsibilities within it. When considering the interruption or termination of his service, he recognizes the effect of his decision upon the program of the institution and gives due notice of his intentions.

5. As a member of his community, the professor has the rights and obligations of any citizen. He measures the urgency of these obligations in the light of his responsibilities to his subject, to his students, to his profession, and to his institution. When he speaks or acts as a private person, he avoids creating the impression that he speaks or acts for his college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Some Relevant Procedures

1. Any faculty member who finds that a question of a possible violation of academic freedom or professional ethics cannot be resolved in his department or school may submit such a question in writing to the Committee on Academic Freedom and Professional Ethics.

2. The Committee may sometimes accept an appeal although the facts presented are not sufficient to support a recommendation. In such case, the Committee on Academic Freedom and Professional Ethics may request the Committee on Committees to appoint, with appropriate con-

sideration of the confidential nature of the task, three senior faculty members to serve as an *ad hoc* committee to ascertain the facts of the alleged violation. Such *ad hoc* committees will discharge their responsibility with a written report of their findings, without recommendation, to the Committee on Academic Freedom and Professional Ethics.

3. In the event that any party to a proceeding involving a proposed decision to deny tenure, deny re-employment prior to tenure, deny promotion, or dismiss, shall at any stage of such proceeding raise an issue of academic freedom or professional ethics and request in writing that a recommendation on this issue be delivered by the Committee on Academic Freedom and Professional Ethics, then no final action in that proceeding shall be taken by any college agency prior to that Committee's recommendation, or its written refusal to review the issue raised.

Faculty Rights

The enumeration of the following rights does not preclude the existence of other rights not specified here.

1. The faculty member has the right to be fully informed at the time of his appointment, and at reasonable intervals thereafter, of the terms and conditions of his employment—including the opportunities for advancement, tenure, and promotion; the opportunities and terms governing sabbatical and other leaves of absence; the terms and conditions of retirement; the grounds for dismissal; and all related rights of, and lawful restrictions on, the faculty.

2. The faculty member may choose to affiliate with any social, political, or religious groups which he in good faith believes to be consistent with the principles of American government.

3. In his classroom, the faculty member has the right and often the obligation to present controversial issues that are relevant to his teaching.

4. It is a faculty right and obligation to participate in faculty government. The faculty cannot surrender this right by: a) appointing or electing faculty to committees by virtue of their administrative position, or b) constituting committees with the dual role of establishing policy and also administering policy. Faculty committees in each school shall have the responsibility for policy recommendation and shall report directly to the school dean.

5. If any formal accusation or criticism is to be placed in a faculty member's permanent file, he shall be notified in writing and thereupon he shall have the right to have his written response thereto included in the file. Anonymous accusations shall be summarily dismissed (and destroyed if a document) and shall not be used in any proceedings.

6. In the event an issue of faculty rights should arise, and is not resolved at the department or school level, any party to the issue may appeal to the Faculty Grievance Committee through the President of the College.

Incompatible Activities

(Senate: 5/6/65; President: 5/27/65)

Employment as a faculty member at the California State College at Los Angeles includes the teaching of assigned classes, research and related professional efforts appropriate to successful professional advance-

ment, the advisement of students, and service with other faculty members in groups organized to carry out the objectives of the college.

Membership on the college faculty presumes a position of leadership and service in the cultural, scientific, and industrial life of the society of which the college is a part. Consequently, the college encourages participation in those activities which offer opportunities for leadership and service. These activities may include serving as a consultant for industry or government agencies, performing research supported by outside agencies, serving as an officer in professional groups, preparing materials for publication, participating in the political life of the community, conducting exhibits of creative activities, performing in the creative artistic endeavors of the community, lecturing in fields in which the faculty member has attained a degree of excellence, serving on various councils of private and public agencies, and the like.

However, the degree of participation in such activities as the above is not unlimited. The primary responsibilities of the faculty member are to teach, to perform research, and otherwise to further the objectives of the college. Membership on the faculty is a full-time position and the responsibilities involved in being a faculty member assume the use of the major portion of his time and energies in college work.

If a member of the faculty works outside the college, such work must not detract from the faculty member's full-time service to the college. This service to the college is meant to include regular participation in creative effort at the college but outside the classroom of such a nature that it enhances the professional development of the faculty member and reflects credit on the college. Research or consulting activities outside the college must not interfere with this effort.

Limitations are difficult to assign fairly. Many faculty members teach one or more nights a week at the college. Others spend a considerable amount of time off the campus supervising student teachers or doing field-work supervision. These are part of the teaching assignment. Many research activities require time spent off the campus and, if these activities are not for pay in addition to the salary received for teaching in the college, they are part of the teaching assignment. Nevertheless, some guide lines are essential to protect the students, the college, and the society which the college serves.

A faculty member will meet all assigned classes as scheduled; share the advisement load of the department; regularly attend departmental, school, and college meetings; and serve on such departmental, school, and all-college committees as required. A faculty member will schedule not less than four office hours per week at times convenient to himself and to his students.

A full time faculty member at the college will not engage in incompatible activities, as defined below. Engagement in such activities shall be regarded as unprofessional conduct. For the purpose of interpreting these statements the college recognizes the following categories of incompatible activities:

1. Some activities are in and of themselves unprofessional and therefore incompatible with the aims and objectives of the institution. Such activities may be of a type not befitting the professional dignity of a faculty member, or of a kind which would demean or degrade the individual or the institution. Other activities which are consistent with

community or college standards, but not connected with the faculty member's profession or with scholarly pursuits, and which are pursued chiefly for economic value, are not specifically prohibited, but are nevertheless discouraged, except as such activities are involved in the management of private affairs. The discretion and judgment of the department faculty affairs committee and department chairman shall be determined on these points, subject to review as provided below. In addition, a faculty member will not engage in any outside activity in which there is a conflict of interest with his primary responsibilities as a college professor.

2. Other activities are incompatible only when conducted excessively, as defined below. Such activities as part-time teaching at other institutions, consultation, or research performed outside the college, the sale of creative efforts, or public lecturing are examples. A faculty member will not engage in outside activities of any kind to the extent that they will conflict with his primary obligations to the college by affecting his performance adversely.

Implementation of the preceding statements will be according to the following pattern. It shall be the responsibility of the department faculty affairs committee and the department chairman to assure that each faculty member meets his responsibilities to the college as outlined above. In those departments in which the departmental promotion and tenure committee serves also as a faculty affairs committee, this shall be the responsible committee. Interpretation of "an excess level of outside activity" will be operational, as "that level of activity which will conflict with a faculty member's obligation to the college by affecting his performance adversely," and the discretion and judgment of the department faculty affairs committee and department chairman shall be determining on this point, subject to review as provided below. Inquiries, in writing, regarding the nature or level of a faculty member's activities may be directed to the department faculty affairs committee and department chairman by the dean of the school, the school or college faculty affairs committee, or the President of the College.

Any faculty member whose outside activities are considered incompatible by his department will be orally apprised of this judgment by his department chairman so that he may take appropriate remedial action. If he does not do so after a reasonable period of time, it is the obligation of the department faculty affairs committee and department chairman to initiate proceedings according to the policy then in force for the handling of cases involving unprofessional conduct.

The above statements are an interpretation of the state policy concerning activities which are inconsistent, incompatible, or in conflict with duties as an employee of the state. The general statement concerning state policy follows.

In protecting the integrity of the California state service, the law includes standards of conduct with which state officers and employees are expected to comply.

Section 19250 of the *Government Code* requires that:

> Every state employee shall fulfill to the best of his ability the duties of the office or position conferred upon him and shall prove himself in his behavior inside and outside the service worthy of the esteem which his office or position requires. In his official activities the state employee shall pursue the common

good, and, not only be impartial, but so act as neither to endanger his impartiality nor to give occasion for distrust of his impartiality.

Section 19251 of the *Government Code* requires that:

A state officer or employee shall not engage in any employment, activity, or enterprise which has been determined to be inconsistent, incompatible, or in conflict with his duties as a state officer or employee or with the duties, functions or responsibilities of his appointing power or the agency by which he is employed.

Each appointing power shall determine and prescribe, subject to approval of the board, those activities which, for employees under his jurisdiction, will be considered inconsistent, incompatible or in conflict with their duties as state officers or employees. In making this determination the appointing power shall give consideration to employment, activity or enterprise which: (a) involves the use for private gain or advantage of state time, facilities, equipment and supplies; or the badge, uniform, prestige or influence of one's state office or employment or, (b) involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than the State for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course of hours of his state employment or as a part of his duties as a state officer or employee, or (c) involves the performance of an act in other than his capacity as a state officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by such officer or employee or the agency by which he is employed.

Each state officer and employee shall during his hours of duty as a state officer or employee and subject to such other laws, rules or regulations as pertain thereto, devote his full time, attention and efforts to his state office or employment.

Political Activities

According to a legal opinion of the State Department of Education Administrative Adviser, dated April 22, 1953, State College employees are subject to provisions of law relating to elections and political activities applicable to all persons and are included within the provisions of the *Government Code* respecting support of political activities of any foreign government and the advocacy of the overthrow of the government. The Attorney General has reaffirmed a previous opinion "that the right to engage in politics is a privilege of citizenship which should not be denied State employees in the absence of express or necessarily implied statutory prohibition, or unless the particular activity is harmful to the State Government. No political activity should be engaged in on State Time." (*Legal Opinion*, Issue No. 65, 6 pages, dated May 18, 1953, from Joel H. Burkman to State College Presidents.)

Personnel Files

(Senate: 7/25/67, 3/31/70; President: 9/27/67, 4/20/70)

1. Personnel Files shall be open only to:

   a. the faculty member concerned.

   b. faculty committees and administrative personnel (as enumerated from time to time by the President) responsible for decisions requiring information normally available from personnel files.

2. Material may be added to the personnel file by administrative personnel charged with maintaining faculty files or by the individual faculty member.

3. When any material is added to a personnel file by administrative personnel, the faculty member shall be notified and permitted to review the material. If he feels it does not properly belong in his personnel file he may appeal to the Faculty Affairs Committee of the school/division for its removal. If the Faculty Affairs Committee of the school/division decides to remove the questioned material from the faculty member's personnel file, it shall be destroyed forthwith. The faculty member may respond to any document in his file, and the response shall become a part of the file.

4. A faculty member, upon written request to the dean of his school listing the specific items involved, may remove from his official file (and retain) any supplementary exhibits of achievement, i.e., slides, exhibits, articles, books, and similar materials. If a question arises as to whether material is supplementary or an integral part of the personnel file, the question shall be referred to the Faculty Affairs Committee of the school for decision.

5. The school/division file shall be the official and complete file. If a departmental file exists, it may not contain material that is not a duplicate or an abstract of material in the official file.

6. An exception to the open file shall be a confidential file containing only letters of recommendation concerning the hiring of the faculty member. This file will not be open to the faculty member. Upon the attainment of tenure by the faculty member, all such letters of recommendation will either be returned to their point of origin or destroyed and the confidential file will cease to exist if the individual faculty member concerned gives his or her consent.

7. The above general provisions shall form a framework under which the several schools/division shall establish detailed plans for preserving the security and integrity of the personnel files, which may include but not be limited to controlled access to locked files.

Hiring of Minority Faculty Members

(Senate: 4/23/68, President: 4/24/68)

The Academic Senate of the California State Colleges urges each college and department to show its commitment by taking immediate steps in increasing the number of minority group professors, and to facilitate such programs by making adjustments of teaching responsibilities so as to be able to utilize the special talents of minority group applicants who present themselves for consideration for employment.

The Academic Senate CSCLA recommends to each school and department that it vigorously and imaginatively pursue the implementation of the resolution of the Academic Senate CSC, and that the Chancellor's Office be requested to allocate additional recruiting funds to be expended specifically for the recruiting of minority faculty members.

Pay Periods

(Administrative Code: Section 42803)

The annual salary of faculty members is paid in twelve monthly installments. Since the State of California does not pay in advance, pay is drawn on the first work-day of the month following the month in which the work has been performed.

Salary checks are disbursed through the academic department offices where faculty members may obtain the dates upon which the pay warrants will be disbursed for the current year.

Payroll Certification

(Administrative Code: 42806)

(a) Notwithstanding any provision in this *Chapter 5* to the contrary, whenever in the judgment of a State College president, it is necessary to do so in order to obtain accurate information for attendance and payroll reporting purposes, such president may require all employees in any attendance reporting unit he may designate to certify the amount of time worked, including, in the case of academic employees, all class assignments which were met and conducted, and all class assignments which were not met and conducted, during each pay period. Except as otherwise provided in this section, this certification shall be a condition to payment for the particular pay period in the case of all employees in any attendance reporting unit so designated.

(b) The certification required by this section shall be in such form and detail as the president shall prescribe.

(c) The section shall not apply to vacation or settlement payments, or to payments on leaves of absence with pay pursuant to *Article 5* (commencing with *Section 43000*) of this *Subchapter 6*, or to payments on special leaves for research or creativity pursuant to *Article 5.1* (commencing with *Section 43050*), of this *Subchapter 6*.

(d) The president may authorize exceptions to the requirements of this section in individual cases where owing to assignments out of California, illness or similar reasons, an undue hardship would otherwise result.

(e) This section shall be operative with the first pay period commencing after February 28, 1969.

Overload Assignment and Payment

(Senate: 5/13/69; President: 5/21/69)

Purpose

The primary responsibility of the faculty member is to perform assigned college duties effectively. Occasionally special needs of the community, state or college may require additional efforts which would be considered an overload assignment for which additional compensation may be provided. The purpose of these guidelines is to insure that the overload assignment will not be incompatible with section 19251 of the *Government Code*. Records on all college-related activities are subject to audit by both the State of California and Federal auditors.

Procedures and Guidelines

1. Overload assignments must be approved in advance by the school dean.

2. The maximum overload compensation permitted is 25 per cent of the annual salary for the faculty member's earned class, rank and step during his academic year (three quarters). No more than 25 per cent of the faculty member's quarter salary can be earned for overload assignments in any one quarter. This one-quarter limitation applies to the time period of services rendered and not to the date of actual payment for those additional services.

Definition of College-Related Activities

College-related activities are extension courses, non-credit programs, Associated Student programs, Peace Corps, contracts, grants or research projects or other assigned duties, which are funded through the California State College at Los Angeles Foundation or the California State College, Los Angeles Business Office.

Time Periods Affected

1. These guidelines shall apply only during the academic year of the individual faculty member, based on his anniversary date, which includes: regularly scheduled class periods; final examination periods; and the advisement week preceding classes in the fall quarter, if assigned during that quarter. Earnings for activities at other times (free periods) shall not be considered overload ever, though funded through the college. Such activities may include short-term institutes, special programs, extension courses, special performances, etc.

2. Teaching or performing other duties in a fourth quarter (following three consecutive quarters of teaching or other regular assignment), either for extra salary or for a compensating quarter off, would not alter the maximum academic year overload compensation specified in the guidelines.

3. When teaching or performing other duties in a fourth quarter, an overload assignment may be permitted, but overload compensation may not exceed 25 percent of the faculty member's full load salary for that quarter.

4. In any quarter in which a faculty member is not teaching or being paid for performing college-related activities, there are no restrictions on his earnings.

Other Overload Limitations

Certain federal or private grants or contracts may be more restrictive in overload payment limitations. These more restrictive limitations shall apply when the faculty member is engaged in such college-related activities.

Merit Increases for Part-Time Faculty

(Senate: 2/24/70, President: 6/22/70)

Part-time faculty members will be eligible for a merit increase only after teaching in three separate quarters. The School dean may grant a

merit increase only upon recommendation of the department, and upon receipt of satisfactory evidence of teaching competence, including the results of student evaluations.

Vacations

(Administrative Code, Section 42901)

A faculty member is entitled to earned vacation on days falling between the end of his academic year and the beginning of his next academic year and on days designated in the local college calendar as college academic holidays during his academic year.

A continuing full-time faculty member after at least one academic year full-time service at a college on quarter system year-round operations may be permitted to take a vacation quarter during the first, second or third quarter of his academic year in lieu of the vacation to which he is entitled between the end of his academic year and the beginning of his next academic year. Whenever such vacation is taken by an academic year employee in advance of the completion of his academic year, he shall be obligated to complete his academic year of service during his four quarter period, or, upon approval of the President, during his next succeeding four quarter period; provided however, that this obligation shall [illegible] deferred for any period during which the employee is a "person in military service" as that phrase is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, of the United States (50 App. U.S.C. Section 501, et seq.). This obligation shall be exonerated if the failure of the employee to complete such academic year of service is caused by his death or physical or mental disability.

Absences

Faculty members may be granted leaves of absence with or without pay or step increases, with or without time earned toward sabbatical and/or tenure.

The number and frequency of leaves (Senate: 5/6/65; President: 5/27/65) that a faculty member may be granted are determined by the combined judgments and concurrences of his department chairman, school dean, and the President of the College (or his representative).

A faculty member whose application for a paticular leave of absence has been denied may appeal. (See "*Grievance Procedures*.")

Leaves of Absence With Pay

Sabbatical Leave

(Administrative Code Sections 43000–43007)

Chancellor's Executive Order No. 37, effective 2/26/67, authorizes and appoints each State College President to approve sabbatical leaves for eligible personnel of his respective state college.

Grants, Purpose, and Terms (Section 43000). The Chancellor may grant academic or executive employees serving in an academic-administrative assignment in any college a leave of absence with pay for not to exceed one year for the purpose of permitting study or travel by

the employee which will benefit the State Colleges. The Trustees, on recommendation of the Chancellor, may grant leaves of absence with pay not to exceed one year to executive employees and those serving in administrative assignments in his office. To be eligible for a leave of absence with pay, an applicant must hold a full-time position and have served full-time therein as an academic employee, executive employee, or an employee in an academic-administrative assignment, or in any combination thereof for six consecutive academic years. The length of leaves of absence with pay, and the compensation to be paid during such leaves, shall be as provided in this section.

(a) Eligible employees on quarter calendars, including academic year employees, 10-month academic employees and 12-month academic employees.

(1) One quarter leave at full pay

(2) Two quarters leave at three-fourths of full pay

(3) Three quarters leave at one-half of full pay

(b) Eligible employees at colleges on semester calendars, including academic year employees, 10-month academic employees and 12-month academic employees:

(1) One semester leave at full pay

(2) Two semesters leave at one-half of full pay

(c) Academic employees who have completed at least six consecutive academic years of service may be granted a leave of absence for one or more quarters or semesters not exceeding one year, with compensation equal to the difference in salary between that received by the person on leave and minimum salary of the Instructor's rank.

Number (Sect. 43003). The number of leaves granted in any one quarter or year shall not be so great in any department, division, school, or in the college as a whole as to disrupt the continued and regular course offerings, or to affect the quality of education offered to the students. The number of leaves may not exceed existing appropriations available for such leaves.

Application (Sect. 43004). Applications for a leave of absence should be made through the school dean or division chairman and submitted to the President accompanied by the action of the appropriate faculty committee. The application shall include or be accompanied by the details of the applicant's plan of study, research, or travel and service together with a statement of the benefits which would accrue to the college and students thereof from the proposed study or the proposed travel and service.

Bond (Sect. 43005). Applicants are required to render service in the State Colleges upon their return from leave at the rate of one term of service for each term of leave. They shall either post a bond to this effect, or make an agreement in writing accompanied by a statement of assets showing the employees' capacity to indemnify the State of California against loss in the event of failure through fault of their own, to fulfill the agreement.

Retirement and Continuity of Service (Sect. 43007). The time during which an employee is on leave of absence with pay shall be credited toward retirement and toward any merit salary increases the employee

would have received had he not taken the leave of absence. The period of leave shall not be construed as a break in the continuity of service required toward retirement, or toward any salary adjustment.

Outside Earnings. (FSA 64–69, 12/22/64). A faculty member on half-pay for an academic year should not accept employment elsewhere although he may go on a Fullbright or accept payment of travel expenses connected with a sabbatical program. There may be a rare instance where up to half-time employment would actually contribute to the goal of the individual's sabbatical program. However, the burden of proof should be on the individual in any such exceptional circumstances to demonstrate the worth of such employment. He is not precluded from accepting *any* employment but any such employment should be minimal and purely incidental.

Each President is fixed with the responsibility of insuring that any employment is minimal and incidental—no time or dollar values have or will be established. The same restrictions apply to difference-in-pay leave.

If faculty members are interested in working rather than in carrying out the provisions of a sabbatical they should go on *leave without pay*.

Report. (CCSCP Minutes: 12/18–19/63). A fully adequate report is required to be placed on file following the completion of each sabbatical leave.

Special Leaves for Research or Creative Activity

(Administrative Code: Sections 43050–43053)

Grant and Purpose (Sect. 43050). The Chancellor may, within the limitation of funds appropriated therefor, grant, or may authorize any president to grant, with respect to qualified employees at his campus, special leaves for research or creative activity.

Eligibility, Terms, and Further Procedures (Sect. 43051). The Chancellor is authorized to establish standards for eligibility, and the terms and conditions of such leaves, and to establish procedures and guidelines for their effective implementation.

Obligation to Teach Following Leave (Sect. 43052). Any academic employee who is granted and who takes a special leave for research or creative activity shall be obligated to teach in the State Colleges for the equivalent of two terms for each term of such leave, immediately following the conclusion of such leave, provided that the completion of such obligation shall be deferred during periods, following such leave, which, pursuant to the regulations of the Board of Trustees, are taken as vacation, sabbatical leave, or leave of absence without pay; and provided further, that this obligation shall be further deferred for any period during which the employee is a "person in military service" as that phrase is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, of the United States (50 App. U.S.C. Section 501, et seq.). This obligation shall be exonerated if the failure of the employee to complete such service following the conclusion of the leave, is caused by his death or physical or mental disability.

Sick Leave

(Government Code, Section 18160)

After six months of continuous service, full time employees are allowed six days of credit for sick leave with pay. Thereafter, one day of credit for sick leave with pay is allowed for each additional calendar month of service, on the submission of satisfactory proof of the necessity for sick leave. [When a faculty member is on sick leave and it appears that the sick leave will be used up, his department shall consider recommending him for a leave of absence without pay.]

Family Death Leave

(California State Personnel Board: Supervisor's Handbook, Rev. 1964)

The death of a person related by blood, by adoption, or by marriage, or any person residing in the immediate household of the employee may be an authorized reason for sick leave absence if the employee's attendance is required. Up to five days of sick leave may be taken for each death during a calendar year.

Five days of sick leave are not granted automatically for every death. The supervisor should exercise his judgment as to the time required by the employee. This is affected by several factors, such as relationship to the deceased, responsibility for arrangements, and the date and place of the services. For example, a person who has lived with the employee for a considerable length of time may be considered closer than a relative who has not been in contact with the family for a number of years.

Leave of Absence Without Pay

Approval (Sect. 43100). An application for a leave of absence shall be submitted to the College President. [Such request for leave must include approval by the School Dean, whose approval must be accompanied by a declaration of the purpose of the leave.] The College President may approve such leaves for periods not to exceed a total of two years. [Executive Order No. 58 delegates authority to the President of each State College to approve requests for leaves without pay for periods of time in excess of two years.] This Section is not applicable to leaves of absence without pay following sabbatical leaves, pursuant to Subdivision (c) of Section 43005.

Relation to Tenure (Sect. 43563). A leave of absence without pay taken during a probationary period for an assignment determined by the college president to be of a nature valuable to the college shall not constitute a break in service for the purpose of acquiring tenure. One *academic* year or less of such leaves may, at the discretion of the president, be counted towards the required service for tenure. However, for a probationary period in a leave status to be counted towards eligibility for tenure, an appraisal of such relevant experience must be made and included in the total appraisal of the individual.

The president shall determine whether a leave of absence without pay, for reasons other than those indicated above, shall constitute a break in the probationary period.

Relation to Sabbatical Leave (Sect. 43001). One year or less of a leave of absence without pay taken for the purpose of teaching, research, study, or an assignment determined by the college president or the Chancellor to be of a nature valuable to the State Colleges may, at the discretion of the president, after consultation with the faculty, be counted towards eligibility for sabbatical leave. A notation of the basis of the decision shall be made in the employees' official personnel record.

Leaves with Time Earned toward Sabbatical and/or Tenure (Senate: 2/23/67; President: 2/28/67). The following are exclusive criteria for obtaining a leave of absence without loss of time accrued toward a sabbatical leave. Approval of such an application is contingent upon recommendations from the applicant's department or school that, in its opinion, the experience will enrich his background as a CSCLA faculty member. A total of no more than one academic year of such leave may be counted toward tenure or toward a faculty member's next sabbatical leave.

1. A visiting professorship at another college or university.
2. An academically significant non-teaching post, or one that reflects credit on our institution.
3. Acceptance of a grant or fellowship from a recognized foundation or institute.
4. Full-time research, not supported by CSCLA including work completed for an advanced degree, approved by the chairman of the department and the dean of the school or chairman of the division in which the applicant is teaching. To qualify, the proposal must:
   a. clearly indicate that the research is a significant contribution to the researcher's field of knowledge;
   b. show evidence of being adequately financed; and
   c. show assurance that it will be completed during the leave of absence, although the proposal may be a part of a larger project that will require additional time for completion.

While leaves granted in the foregoing circumstances shall not break the faculty member's service toward tenure, further tenure service shall not accrue during the leave unless it is with the recommendation of the department and school/division committees charged with decisions regarding retention and tenure.

Leaves without Time Earned toward Sabbatical and/or Tenure. (Academic Senate: 4/21/70; President: 5/21/70). On application of the faculty member concerned, the school dean, in his discretion, may recommend leaves without time earned toward sabbatical and/or tenure.

Step Increase Following Leave without Pay. (Section 43102). The salary of an employee who takes a leave of absence without pay may be increased one step at the conclusion of the leave, if the following provisions are satisfied:

(a) The employee was not at the highest step of the salary range for his rank at the time he began his leave;

(b) The step increase would not result in establishing the employee's salary at a level higher than it would have been if he had continued his services at the college without such leave, and had been accorded a merit salary increase based on his performance;

(c) The step increase becomes effective on the employee's regular anniversary date next following his return to service;

(d) The leave was for the purpose of teaching, research, or other assignment, which is determined by the state college president in the case of an employee of a state college, or by the Chancellor in the case of an employee of the Office of the Chancellor, to have been of a nature valuable to the California State Colleges;

(e) In the case of an academic employee of a state college, the state college president shall consult with the faculty of the state college with respect to such salary step increase.

Other Absences

Jury Duty

Faculty members receiving notice of jury duty should report this fact to the Personnel Office. A letter will be written by the college requesting that the faculty member be excused from such duty.

Military Leave

(Administrative Code, Section 43101)

Military leave to enter military service may be obtained by faculty members by submitting the documents and following the procedures required by law governing military leaves. All documents required to effect a military leave together with Absence Request Forms shall be submitted to the President. Since different documents are needed for each type of military leave, faculty members should confer with the Personnel Office to learn which documents must be submitted to the President. Whenever possible, faculty members should arrange for military leaves early enough in advance to permit the hiring of adequate substitutes. Reserve officers should make every effort to arrange for training duty which does not conflict with their academic year.

Maternity Leave

(Senate: 5 6 65; President: 5 27 65)

A maternity leave shall not constitute a "break in service" for the purposes of sabbatical leave or tenure. However, no more than six weeks of such leave may be considered as time served in the tenure period or time served toward eligibility for sabbatical leave.

Absence Without Leave as Resignation; Reinstatement

(Education Code, Section 24311)

Absence without leave of an academic or nonacademic employee, whether voluntary or involuntary, for five consecutive working days is an automatic resignation from state service, as of the last date on which the employee worked.

An academic or nonacademic employee may within 90 days of the effective date of such separation file a written request with the State Personnel Board for reinstatement. If the appointing authority has notified the employee of his automatic resignation, any request for rein-

statement must be in writing and filed within 15 days of the service of notice of separation. Notice may be personally served or it may be served by mail to the last known residence or business address of the addressee and is complete on mailing. Proof of service, either personal or by mail, shall be made by affidavit. Reinstatement may be granted only if the employee makes a satisfactory explanation to the board as to the cause of his absence and his failure to obtain leave therefor, and the board finds that he is ready, able, and willing to resume the discharge of the duties of his position, or, if not, that he has obtained the consent of his appointing power to a leave of absence to commence upon reinstatement.

An employee so reinstated shall not be paid salary for the period of his absence or separation, or for any portion thereof.

Change-of-Status Reporting

It is the responsibility of faculty members to report any changes in status on the proper forms at the Personnel Office. Changes of address and marital status should be reported as promptly as possible on the Personnel Data Form (P-1). Changes in beneficiary must be recorded as they affect the retirement system and the various insurance plans. Changes in dependency will affect the various health benefit plans. Changes in address and/or dependency will require revising Form W-4, Employees Withholding Exemption Certificate. Changes in marital status will affect all the situations outlined above.

Separation of Faculty for Lack of Funds or Work

(Administrative Code: 43200–43202)

Policy. It shall be the policy of the state colleges to provide stability of employment by foreseeing and avoiding unnecessary reductions in staff. However, when this is not possible due to lack of funds or lack of work, the staff shall be reduced in accordance with this article. The classes or teaching service area to be reduced and the number of employees therein to be laid off, shall be recommended by the President of the college to the Chancellor. The Chancellor shall make all final determinations both for each college and for the Office of the Chancellor.

Relocation Opportunities. The Chancellor's office shall make a survey of all state colleges in order to ascertain the availability of suitable positions where staff to be laid off may seek relocation. To the extent staff resources permit, similar efforts shall be made with respect to colleges and universities outside the state colleges.

Area of Layoff. Layoff of academic employees shall be by teaching service area within a college.

Order of Layoff. Whenever a determination has been made that there is a lack of funds or lack of work, employees in a class or teaching service area to be reduced shall be laid off in the following order: The President may at his discretion, without regard to the class or teaching service area to be reduced, separate from service any student assistant, instructor for extension service, person employed on a temporary basis, or, with respect to employment in a summer session, any member of

the faculty of a state college summer session. Persons described in this paragraph, if performing the same or comparable work as that performed by a probationary or permanent employee, shall be separated before any probationary or permanent employee desiring to continue in employment is laid off pursuant to the provisions of this article.

Grievance Procedures for Academic Personnel of the California State Colleges

(Chancellor's Executive Order Number 112)

The complete text on "Grievance Procedures for Academic Personnel of the California State Colleges" is given in Appendix I.

Disciplinary Action Procedures for Academic Personnel of the California State Colleges

(Chancellor's Executive Order Number 113)

The complete text on "Disciplinary Action Procedures for Academic Personnel of the California State Colleges," is given in Appendix J.

6

Instructional Policies

The College Year

(Administrative Code: 42700, 42800)

The college year is composed of four consecutive quarters, each approximately the same length and commencing with the opening of the summer quarter. The President, in consultation with the Academic Senate, shall fix and publish in the annual *Catalog* the beginning and ending dates of the college year and quarters.

The Academic Year

(Administrative Code: Section 42751)

Academic year employees will be appointed for an academic year composed of any three quarters out of four consecutive quarters. In colleges on quarter system year-round operations the period of four consecutive quarters within which an academic year employee serves shall begin with the quarter to which he is appointed. For continuing academic year employees, upon conversion of the college to quarter system year-round operations, the period of four consecutive quarters shall begin with the fall quarter, provided, however, that continuing academic year employees who prior to conversion of their college to quarter system year-round operations had served full time for the immediately preceding two semesters or three quarters, as the case may be, shall be considered to have served a full academic year for purposes of Section 42754.

Assignment to Academic Quarters

(Administrative Code: Section 42752)

(a) The initial assignment pattern of the three quarters constituting the academic year of an academic year employee during his first academic year shall be established in advance of his appointment, and stated in an appointment or assignment letter to him.

(b) Following the initial academic year of service of a newly appointed academic year employee, and, for a continuing academic year employee upon the conversion of his college to quarter system year-round operations, and thereafter, assignment and reassignment of patterns of the three quarters constituting his academic year, and the time during which a compensating quarter off may be taken pursuant to Section 42754, subdivision (e)(2), will be considered in light of the needs of the academic employee and the needs of his department, and mutually agreed to at the department, division, or school level, as the college shall determine. If such agreement is not reached at the level or levels selected

by the college for such determinations, the final decision will be made by the President, consistent with the resolutions of the Board of Trustees applicable to quarter system year-round operations.

(c) Assignment of an academic year employee to academic quarters pursuant to subdivision (b) of this section shall be determined at as early a date as is feasible, but at any event, at least one full quarter, or in the case of a college converting from a semester system to quarter system year-round operations, one full semester, in advance of the beginning of the next succeeding academic year, unless the employee consents to a later determination. No such assignment may be made more than three years in advance of the beginning of the academic year to which it relates. Assignments pursuant to this article are without reference to decisions on appointment, retention and tenure, which decisions shall continue to be governed by Articles 2 and 13 of this subchapter.

Teaching Assignments

(Administrative Code: Section 42753)

(a) The pattern of instruction for full-time academic year employees at colleges on quarter system year-round operations, shall be three quarters of a period of four consecutive quarters, the fourth quarter of which period shall be vacation except as otherwise provided in Section 42701, subdivision (b).

(b) The teaching assignment for academic year employees at colleges on quarter system year-round operations shall be no greater than it is for such employees at colleges not on quarter system year-round operations. Because of variation in course offerings during any particular quarter, it should be recognized that a teaching assignment for a given faculty member may vary from quarter to quarter and from academic year to academic year.

Teaching an Extra Quarter Assignment

(Administrative Code: Section 42754)

(a) The term "extra quarter assignment" means teaching by an academic year employee, full-time or part-time within his four quarter period, of a quarter other than one of the quarters which comprise the academic year of service.

(b) In exceptional instances when the needs of the college require it, with the consent of the employee involved, and under the provisions of this section, an academic year employee may be permitted to teach an extra quarter assignment. The employee will not, as a general policy, teach more than six consecutive quarters, and shall not be permitted to teach more than the equivalent of seven consecutive full-time quarters in the California State Colleges.

(c) No academic year employee shall teach an extra quarter assignment unless he agrees to do so.

(d) In instances in which an academic year employee is permitted to and consents to teach an extra quarter assignment pursuant to this section, he shall have the right to elect whether such work shall be for extra compensation or for a quarter off at a later date; provided that service for a quarter off at a later date must be full time for the entire

quarter. Such election shall be made by notification to the college in such form, and in such manner, and by such time as the president shall prescribe.

(e) An academic year employee may teach extra quarter assignments either for extra compensation or for a compensating quarter off at a later date, provided that:

(1) For extra compensation—his teaching, including teaching pursuant to this subdivision (e), shall not exceed the equivalent of one quarter for extra compensation nor more than the equivalent of ten quarters during any triad. [*Section 42700(z)* defines a triad as a period of 36 months or 12 quarters, commencing in the case of each academic year employee at a college on quarter system year-round operations, with the beginning of the first quarter of his first academic year at such a college.] No service credit for tenure, retirement, sabbatical leave, sick leave, or seniority, will be earned during this extra quarter, and

(2) For a compensating quarter off at a later date—his teaching, including teaching pursuant to this subdivision (e), shall not exceed the equivalent of ten quarters during any triad. Such compensating quarter off will normally be taken during the employee's next succeeding academic year, but may, with the approval of the college president or his designee, be taken at a later time within 36 months of the completion of the extra quarter of service. Where an extra quarter assignment is taught not for extra compensation but for a compensating quarter off, pursuant to this subdivision, no service credit for tenure, retirement, sabbatical leave, sick leave or seniority shall accrue with respect to the period of the extra quarter assignment, but shall accrue with respect to the paid time taken as a compensating quarter off, in the same manner as though the employee had taught during the period of such compensating time off rather than during the period of the extra quarter assignment.

(f) As used in this article, the terms "teach" and "teaching" shall include service during a period of sabbatical leave, and service while on a special leave for research or creative activity.

Teaching Loads and Assignments

Faculty members meet their assignments during advisement periods and on all instructional days up to and including commencement.

Faculty members meet all assigned classes as scheduled; share in the advisement assignments; attend all departmental, school, and college faculty meetings, and serve on such departmental, school, and all-college committees as required.

A maximum teaching assignment is twelve quarter units. (Faculty who teach laboratory classes or workshops are assigned a teaching load according to a special formula.) Special assigned time to the graduate program or administrative duties may reduce the time assigned to the chairman. Special assignments are always made by the dean of the school.

Conflict of Interest

(Senate: 8/8/67; President: 9/11/67)

1. The college adopts the principles of the joint statement of the Council of the American Association of University Professors and the American Council on Education, "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities."

2. The Executive Secretary of the Faculty Grants and Research Committee is the institutional adviser on questions relating to conflicts of interest.

3. School deans and department chairmen will be advised by the Executive Secretary concerning the type of situations which might involve conflicts of interest.

4. A faculty member who participates in government-sponsored research or demonstration grants shall comply with the following procedures:

a. Disclose annually to his department chairman remunerated activities related to his college teaching and governmental consultation and research.

b. Confer annually with his department chairman to determine whether any of the activities under (a) are in conflict with each other or in conflict with the interests of the college.

c. Withdraw from incompatible activities in order to comply with the principles of the joint statement of the Council of the American Association of University Professors and the American Council on Education.

Electronic Recording of Classroom Lectures

(Senate: 2/20/68; President: 2/27/68)

Any faculty member may permit his classroom lectures to be recorded. However, for his own protection, as well as that of the college, this permission shall be in written form, shall indicate any limitations imposed on future use of the recording, and shall bear his own signature. He may retain a copy of the written permission. All of the normal rights of authorship shall be accorded to the faculty member whose classroom lectures have been recorded, though absolute protection of these rights may be extremely difficult to furnish and therefore cannot be guaranteed.

Publications and Questionnaires

Publications which are designed to represent the entire college, or any division or department of the college, should be reviewed in each instance with the school dean and with the appropriate administrator before they are sent to press. For example, publications or questionnaires dealing with student affairs should be reviewed by the Dean of Students. Those relating to instructional programs should be referred to the Dean of Academic Planning. Those relating to workshops, conferences, extension courses, or to summer session should be reviewed with the Director of Extension and Summer Session. Publications representing the entire college should also be cleared with the Office of Publications Services. In case of doubt as to the appropriate administrative

office for review, publication may be sent to the Vice President for Academic Affairs.

Questionnaires should bear the identification of the individual, class, and/or instructor from which they emanate.

Visiting Speakers in Class

(Senate: 1/16/64, President: 1/23/64)

Neither the College Committee on Visiting Speakers nor any other college agency shall review invitations by faculty members to visiting speakers who come to address their classes. *(College Policy on Visiting Speakers.)*

Classrooms

All offices and rooms containing special equipment, such as laboratories, are designated as "locked" rooms. It is important that windows as well as doors be locked when these rooms are vacated. Regular classrooms which contain standard equipment and to which keys are not issued need not be locked when the instructor leaves; however, reasonable precautions should be taken to prevent wind or rain damage during inclement weather. Windows and doors should be closed and lights extinguished when a room is vacated.

Each classroom on the campus has been assigned specific equipment and a maximum seating capacity. Equipment should not be removed from classrooms. The Fire Department has set the maximum seating capacity for each room which is not to be exceeded. If at any time furniture is missing from a classroom, the Office of Dean of Instructional Administration should be notified.

All requests for a change of classrooms should be cleared through the office of the department chairman.

Office Assignments

The assignment of faculty office space is the joint responsibility of the school dean and the Office of the Vice President for Academic Affairs. So far as possible, the school deans' recommendations will be followed in the assignment of office spaces.

Grades

General Policy. The final grade that a student receives is the prerogative of the instructor concerned. The college has no regulations which might govern a faculty member's grade distribution. Information regarding a department's policies and average grade distribution is available through the department chairman or school dean.

Grade Reporting Procedure. IBM Grade Cards, on which to record final grades, are distributed to instructors during the closing weeks of the quarter. These cards are to be returned by the instructor *in person* to the Registrar's Office as soon as possible after each final examination, and no later than the deadline announced by the Registrar.

Special Note on "Incomplete" Grades. "Incomplete" grades should not be given to failing students. Students who are passing, but through extenuating circumstances have not been able to complete all or part

of the last four weeks of the course, are eligible for an "Incomplete" grade. When the student completes the remaining work, the change of grade must be reported to the Registrar's Office. An "Incomplete" must be cleared by the last day of classes of the second quarter following the quarter in which it was received.

Change of Grade. All grades submitted to the Registrar's Office are final, except in the case of a clerical error. An instructor may not change a grade at the request of a student for special consideration unless the grade submitted was erroneously reported. This regulation exists for the protection of the instructor and is not intended to violate his prerogative of assigning the original grade.

Credit/No-Credit Grades: Undergraduate Programs

(Senate: 5/21/68. President: 8/29/68 *)

Definitions

1. A pass (credit) grade, denoted "*Cr*," would indicate units completed and creditable toward a degree or credential, but would not be integrated into grade point averages.

2. A no-credit grade, denoted *F*, would be considered as units attempted, would be computed in grade point averages, and would appear on the student's transcript as an *F*.

3. A *Cr* grade is defined as *A*, *B*, *C*, or *D*. A no-credit grade is defined as *WF*, *UW*, or *F*. Grades of *WP* or *Inc* would retain the standard definition.

Limitations

1. The option to select *Cr/NC* is limited to students in good standing who have completed at least 12 units at CSCLA or who have been admitted to CSCLA in upper-division standing.

2. A student may elect no more than one-half of a quarter's study load as *Cr/NC*.

3. A student may register for only one *Cr/NC* course in any quarter.

4. A student may apply no more than 25 percent of the total units taken in residence at CSCLA toward a degree or credential to *Cr/NC* courses.

5. Courses may not be elected on a *Cr/NC* basis where specifically required or elected in any degree or credential program (whether in the major department or not). In this context, specific courses appearing on the final degree contract, even if selected from among a group of "electives" to meet departmental area requirements, are prohibited on a *Cr/NC* basis.

6. A student must elect *Cr/NC* grading at the time of registration.

7. Courses selected to meet the required minimum units in the designated General Education fields (60 quarter units) may not be attempted on a *Cr/NC* basis. However, additional General Education courses (12 quarter units) needed to meet the overall 72 quarter unit minimum may be attempted on the *Cr/NC* basis.

* Approved by the President with the following provisions:
1. That the Cr/NC policy be implemented for the spring quarter 1969.
2. That the student be allowed to elect Cr/NC only at the time of actual card pulling, and not during add-drop procedure.
3. That Items 4, 5, and 7 of "Limitations" be controlled at the time of graduation check.
4. That Items 1 and 2 of "Limitations" be regarded as unenforceable.

8. Faculty will report letter grades according to current practice. The *Cr/NC* grade will be assigned by the Registrar. A *NC* grade is defined as an *F*. Grades of *WP*, *WF*, *UW*, or *Inc* will retain their standard definitions.

9. The *Cr/NC* program will be reviewed and evaluated by the Instructional Affairs Committee following three quarters of operation. A report based upon this evaluation will be made available to the Academic Senate.

10. Courses normally graded *Cr/F* may not be attempted on a *Cr/NC* basis as defined in this document.

Credit by Examination

(Senate: 5/20/65, 4/21/66; President: 5/27/65, 4/28/66)

Approval to receive credit by examination is to be granted at the discretion of the appropriate college authorities and under the following conditions:

1. The student must be in good standing (not on probation), be registered in at least one other course (not extension) at the time credit by examination is authorized, and pay for additional units if cost exceeds fees already paid. In summer sessions the total units earned for courses and examinations cannot exceed the limit authorized by the *Education Code*.

2. Prior to taking the examination, concurrent approval of the chairman of the department concerned, and the instructor in the course is required. Forms for approval may be obtained from the departments. One copy of the approval to take the examination must be filed with the Registrar *prior to* the examination date.

3. Credit by examination is restricted to regular undergraduate and graduate courses listed in the General Catalog (College Bulletin); it is without unit limit, but does not count as residence credit.

4. Credit by examination is not treated as part of the student's work load and therefore does not require a petition for excess study load; it is not considered for Selective Service purposes nor by the Veterans Administration in the application of their respective regulations.

5. Whatever grade the student receives for the examination must be entered on his record and counted toward his grade point average. It shall be designated as "credit by examination" on the student's permanent record card.

6. The examination is to be interpreted broadly to include whatever activity test or demonstration the instructor deems appropriate in order for him to evaluate the student's understanding, skills, or knowledge as required by the objectives of the course.

Credit for Peace Corps Volunteers Training on Campus

(Senate: 5/25/65; President: 6/14/65)

1. Credit determinations will be made individually for each training group.

2. When the training schedule for each group is determined, the project director (a faculty member) will ask each department contributing to the training program if it wishes to give credit to the trainees

for its portion of the program and, if so, to indicate what course number and title should be used, and how many units are to be given. (It is possible for this purpose to obtain a variance with reference to the units recommended; to give, for instance, two units for a course normally received three.)

3. The project director will forward these recommendations, along with his own, to the Dean of Academic Planning, who will then ask the Instructional Affairs Committee(s) of the school(s) in which the departments are located if it will accept the recommendations. If the answer is affirmative, the Dean of Academic Planning will notify the Peace Corps and the Director of Admissions and Records of the action taken.

4. The Director of Admissions and Records will prepare special record cards for this credit in order that it can be certified to this or another institution when the volunteer returns to school after his tour of duty.

5. Under usual circumstances, maximum college credit to be allowed is one unit for each week of the training period. Grades will be recorded only as *Cr.*

6. The college credit will be validated only when the volunteer has become a matriculated student at this or another institution of higher education. Graduate units will be validated if the volunteer had a baccalaureate degree from an accredited institution when he entered training on this campus, and has been accepted as a graduate student at this or another institution of higher education.

Graduate Course Credit for Undergraduate Students

(Senate: 11/25/69; President: 12/31/69)

Graduate course credit may not be applied toward a bachelor's degree, but a student in his final quarter of undergraduate study may apply toward graduate credit a maximum of eight (8) units beyond the number required for graduation provided he has maintained a 2.75 overall average in all upper division work. A student with a 3.0 average may include in this allowance one course at the 500 level. The course(s) for which graduate credit is (are) sought must be approved in advance by a graduate adviser in the department in which the master's degree is to be taken. Graduate credit is granted under this provision by application to the Office of Admissions and Records during the quarter prior to that in which the courses are taken.

Graduate Theses and Projects

(Senate: 8/8/67; President: 9/11/67)

1. Each thesis or project must be approved by a thesis or project committee.

2. A thesis or project committee shall include, as a minimum, the thesis or project director and one other member of the faculty.

3. The committee shall be approved by the department chairman and certified to the Graduate Studies Committee, a subcommittee of the Instructional Affairs Committee, by the school dean or his designee.

Second Baccalaureate Degree

(Senate: 12/2/69; President: 12/31/69)

In order to provide similar baccalaureate degree opportunities to native and transfer students, the following policy is in effect:

1. *First degree completed elsewhere, regardless of academic field:* Students seeking a bachelor's degree from CSCLA after having received a baccalaureate from another institution may qualify for graduation with the approval and recommendation of the faculty upon completion of the following:

   a. General education requirements then in effect.
   b. Residence and scholarship requirements then in effect.
   c. Major program as specified by department.
   d. Complete a minimum of 36 additional quarter units beyond the first degree.

2. *Two baccalaureates from CSCLA:* A student completing a baccalaureate program at CSCLA will have completed the general education, residence and scholarship requirements. With the approval and recommendation of the faculty, he may qualify for a second baccalaureate upon completion of the following:

   a. General education requirements then in effect.
   b. Residence and scholarship requirements then in effect.
   c. Major program in a different academic field as specified by department, whether concurrently or in sequence.
   d. Complete a minimum of 36 additional quarter units beyond the first degree.

3. *Multiple majors:* Students desirous of having multiple majors listed on their diplomas must:

   a. Fulfill all departmental requirements in the several majors.
   b. File a request endorsed by the several major departments to the Dean(s) of the appropriate school(s).
   c. Be approved and recommended for graduation by the faculties of *each* major department.

Units included in second baccalaureate program *may not apply to graduate degrees.*

Field Trips

In order to provide information to the college concerning the location of an instructor or a student in case of an emergency, and to protect the faculty member and the student in case of an accident, faculty members are asked—prior to leaving on such a trip—to complete the "Off-Campus Field Trip Request" form and to deposit it in the office of the school dean.

Final Examinations

Final examinations or final class meetings are required in all courses, and shall be held at the time and place as shown in the *Class Schedule.* Any exception in time or place must be approved by the school dean. Final examinations may not be given before the scheduled time.

Students who find it impossible to take a final examination on the date scheduled may make arrangements in advance with the instructor to have an "incomplete grade" reported. The student must then follow the regulations concerning the make-up of "incomplete grades" as outlined in the *Catalog*. Exceptions to this rule may be made only with the approval of the instructor and the school dean.

Procedures for the Evaluation of Instruction

(Senate: 11/25/69; President: 12/31/69)

1. Each department shall develop a program for the evaluation of faculty instructional performance, including, but not necessarily limited to, student evaluations.

2. It shall be the responsibility of the Faculty Affairs Committee to act as a resource agency to aid departments in formulating appropriate student evaluation forms and procedures.

3. Procedures providing for the participation of students in the evaluation of instructional performance, including the design, distribution, and use of student evaluations, shall be submitted to the Faculty Affairs Committee as part of the annual submission of department and school procedures.

4. The Faculty Affairs Committee shall formulate an evaluation form and procedure to be used by all departments that either do not submit their own procedures, or prefer to use that provided by the Faculty Affairs Committee.

5. As used in these procedures for evaluation of instruction, the term "faculty" includes both full-time and part-time members of the faculty.

Attendance at Commencement

(Senate: 1/13/70; President: 2/6/70)

Commencement is a formal recognition of the completion of undergraduate and graduate programs and the conferring of degrees on students upon the recommendation of the faculty. Attendance at commencement is part of the regular professional responsibilities of all fulltime faculty members, and therefore, they are expected to attend.

Teacher Disclosure Policy

(Senate: 3/18/65; President: 5/27/65)

When interrogated directly by prospective employers of any kind, or indirectly by the college's administrative officers in behalf of prospective employers, a professor can safely answer questions which he finds clearly concerned with the student's competence and fitness for the job. But questions relating to the student's political, religious, moral, or social beliefs or opinions may jeopardize the professor-student relationship and constitute an infringement of the student's academic freedom. The college will support any professor in his decision not to respond to questions which he considers to be of this type.

To guard against the danger of putting their students in an unfavorable light, professors should preface each written questionnaire or oral interview with a brief *pro forma* statement explaining that the academic

policy to which they subscribe precludes their answering certain types of questions, and that no presumptive inferences about individual students should be drawn because of their adherence to this established college policy.

There should be no exceptions to the rule not to respond to such questions, even though an individual student might wish it. Personal expediency should not be permitted to override a principle which seeks to insure the kind of intellectual climate in which unhampered inquiry and uninhibited learning can take place.

It is recommended that copies of such a statement be made available to professors for use, through their departmental offices. The text of such a statement might read: "It is my practice, in accordance with expressed college policy, not to answer questions relating to the student's political, religious, moral, or social beliefs or opinions because answering such questions tends to jeopardize the professor-student relationship and often constitutes an infringement of the student's academic freedom."

Television Policy

(Senate: 5/25/65; President: 6/14/65)

Development, Review, and Administration

1. The faculty of CSCLA recognizes educational television as a potential asset to the instructional program of this college. The development of educational television on this campus shall be determined by continuous faculty examination and control.

2. A committee, the Television Committee, shall be established as a standing subcommittee of the Instructional Affairs Committee. The major concern of the Television Committee shall be the orderly development and use of instructional television at CSCLA. Membership on this committee shall include the Vice President for Academic Affairs or his designate, the Co-ordinator of the Broadcast Service Center, and five representatives of the faculty selected by the Instructional Affairs Committee.

Television Committee

1. It shall be a function of this committee to recommend new policies and review existing policies governing the use of all television facilities of the college, including the production, retention, and re-use of television tapes.

2. It shall be a function of this committee to make certain that the rights of faculty members involved in television production on this campus are protected. In particular, the committee shall review all television negotiations and contracts involving the faculty and shall utilize professional legal consultants when advisable.

3. This committee will be particularly concerned with continuous evaluation and appraisal of the effectiveness of instruction carried on through the medium of television and reporting these evaluations to the faculty.

4. This committee shall serve as a consultative body to the President to provide him with a source of advice regarding community service television broadcasting. It is assumed that the President will consult with this committee before arrangements are made with groups outside CSCLA which involve the use of television.

5. The Television Committee shall recommend policies for the presentation of courses for instruction by television. These policies should include specific requirements for submitting proposals, for presentation, and for evaluation procedures.

6. The proposals for course content and procedures for evaluating courses shall be submitted to the Television Committee according to methods outlined below.

7. The Television Committee shall implement policies and make decisions regarding choices from among competing proposals for television offerings, and shall make decisions removing courses from instruction by television.

Broadcast Service Center

1. The Broadcast Service Center is an all-campus instructional facility. The activities of the Center are directed by the Television Coordinator who is administratively responsible to the Dean of Instructional Services.

2. The Center, acting with the advice of the Television Committee, coordinates all campus broadcasting activities including programs of culture and enrichment for release over commercial and educational stations.

3. The Center will coordinate and integrate existing and proposed radio and television facilities on the campus.

4. The Center will maintain a file of reference materials to assist in evaluation of instruction by television.

5. The Center will maintain a file of instructional and reference material to assist in instruction by television, in consultation with the Television Committee and the Audiovisual Center.

School Responsibilities Regarding Instruction by Television

It is recommended that the School take appropriate steps to accomplish the following:

1. To examine and screen television course proposals within the School with emphasis on desirability, feasibility, adequacy, and specific content.

2. To approve proposals for extension or summer session courses to be offered on television by the School.

3. To recommend action on proposals initiated within the School and to forward these proposals to the Television Committee.

4. To determine and indicate whether necessary instructional facilities, materials and staff are available.

5. To provide for the evaluation of courses being offered for instruction by television.

Procedures for the Submission of Requests for Courses to Be Presented on Television

All proposals for new courses to be offered for credit shall be authorized first by the Instructional Affairs Committee following its usual procedures.

A proposal for a course to be taught by television should be submitted to the Television Committee through the normal School channels.

A course proposal normally should be submitted to the Television Committee two quarters prior to the quarter in which the course

is to be offered on television. Any objections to the proposals are to be submitted in writing to the Committee within twenty (20) regular school days following submission of the proposal.

In order for the Television Committee to take action, each proposal for a course should contain, after the name of the course and the number of units credit, the following information:

1. What is the justification for presenting this course on television? How will this offering differ from the same course as might be offered in the classroom? How does this course fit in with college-wide plans for instruction by television? (Consultation with the College Television Coordinator may be required for assistance in answering this question.)

2. Is the same course to be offered concurrently in the classroom? If so, how will students be assigned to television and non-television sections?

3. Is the entire course to be offered via television, or will there be some class meetings directly with the instructor?

4. Has the course or a similar course been offered before on television? If so, when, and with what results?

5. Has a pilot script been taped and evaluated by the instructors of the proposed course? (A pilot study in cooperation with the Broadcast Service Center is recommended.)

6. Has there been consultation with all interested departments and the Broadcast Service Center? Persons consulted and dates of consultation should be included in the proposal.

7. The following questions related to feasibility should be answered:

a. Are the appropriate faculty and staff already available? (The names of all such persons should be listed.)

b. What are the proposed contractual arrangements?

c. What is the estimated student enrollment for the proposed course? How was this estimate obtained?

d. When is it planned to first offer this course on television and how often thereafter?

e. What equipment and other facilities will be necessary? Will these be available?

f. Is it planned to have all or any session of the course taped prior to the quarter in which the course is to be offered?

8. Procedures for evaluation of television courses should be incorporated in the proposal.

a. A School which is presenting courses on television must establish adequate procedures for evaluating the televised courses. Consultation with the Television Coordinator and the Director of Institutional Research regarding evaluation procedures is advised.

b. The evaluation of a television course and the consideration of all curriculum implications are the responsibility of the instructor(s), department(s), and the School offering the course.

c. In addition to customary standards for evaluating courses, the proposer(s) of a television course should address themselves to the following questions:

(1) Is television being properly used as a medium of education?

(2) Is it enough to merely move a classroom lecturer's podium into a television studio?

(3) What advantages does television have over the classroom?
(4) What techniques and materials can be used on television that cannot be used in the classroom to make for better education?

9. Signatures of the instructor(s) submitting the proposal, the chairman(men) of the department(s) involved, and the School dean(s).

Faculty Rights Pertaining to Development, Re-use, Retention and Distribution of Television Materials Produced by College

1. The conditions under which a television offering shall be made will be determined by the faculty member(s) involved and the Television Committee. A written contract stating such conditions shall be executed, signed by the faculty member(s) and the President of the College or his representative.

2. Agreements for the presentation of instruction by television must be renegotiated or renewed on a yearly basis with the parties involved in the original negotiations or their successors. At the time of such negotiation, any faculty member involved in the actual instruction may request in writing that any or all recordings of his presentation be erased or revised if, in his professional judgment, such action is deemed necessary. If extensive revision is necessary, consideration must be given to the availability of facilities.

3. No presentation of recorded course sessions can be made beyond the regularly scheduled campus class offerings without the written permission of the instructor(s) involved.

4. It should be clearly understood that the instructor(s) involved shall retain his (their) proprietary rights and other right, title, and interest in, and to, the lecture materials; such materials shall not pass into the public domain nor become the property of the collegiate institution or any other institution or person presenting such lecture materials by television.

5. Any release of television lecture materials beyond their original intended purpose (for example, for rental to other schools) must be approved in writing by the instructor(s) and department(s) involved and provisions made for distribution of any remuneration received. Such negotiations and resultant contracts must be approved by the Television Committee and the President of the College.

The instructor will not receive royalties for the presentations of televised material on the originating campus.

Simultaneous and/or subsequent televising in other institutions will be subject to payment to the instructor and the originating institution.

No faculty member may contract away his rights to withdraw part or all of his program materials or assign away his rights in perpetuity.

6. Copyrights for workbooks, guides, and other published materials used to support television programs must be in the name of the instructor(s), who then receive(s) royalty fees for the sale of such materials.

7. When released time is given to an instructor for the preparation and presentation of a television course or other approved television offering (for instance, a public service program), the adjustment in faculty load is made on the assumption that the college will receive substantial benefits from these services. Hence, the college has been reimbursed for his released time; and any residual payments which may accrue from future use of the course or offering are the property of the television instructor.

8. Should an instructor who is participating in instruction by television permanently sever his relations with the college, or have his employment terminated for any reason, there will be no subsequent presentation of his lecture material without written agreement from him, the Television Committee, the department(s) involved, and the President.

Definition of Continuing Students

(Senate 2/13/68, President 4/3/68)

If an undergraduate student maintains continuous attendance at any accredited California junior college and thereafter at CSCLA, he may elect to graduate under those CSCLA requirements in effect at the time of his first matriculation in either institution. In no event will this policy extend beyond ten (10) years after the initial matriculation. All other transfer students or those students who have not maintained continuous attendance will be held responsible to those CSCLA requirements in effect at the beginning of their last continuous attendance at CSCLA, or to later requirements included in the catalogue in effect at the time their programs are established.

In the event that courses described under earlier requirements are no longer available, the major department may require appropriate substitutes.

In this context continuous attendance implies that the student will register for and have a grade assigned (except for *WP*, *WF*, or *UW*) in at least one course during each quarter (or semester) in which attendance is claimed. *(Approved by the President with the proviso that the statement pertains only to the degree requirements under which a student may graduate.)*

Status of Continuing Students

(Senate 3/16/67, President 4/3/68)

Students who maintain continuous attendance from one quarter to the next need not file an application for each succeeding quarter. A student may elect to be absent any two quarters of the college year, but not more than two of any four successive quarters, without losing his continuing student status. *(Approved by the President with the proviso that the statement relates only to registration procedure and establishes continuing status priorities in registration.)*

Registration Priorities for Returning Veterans, Peace Corps and Vista Volunteers, and Conscientious Objectors to War

(Senate 2/13/68, President 4/3/68)

A student from this college entering active military service, the Peace Corps, Vista, or approved alternative service due to conscientious objection to military service will be given registration priorities within one year of the completion of his service. *(Approved by the President with the proviso that the statement relates only to registration procedure and establishes continuing student status priorities in registration.)*

Statement of Student Rights

(Senate: 1/23/68, President: 3/26/68)

The rights and privileges of the student as a member of the academic community are outlined in the "Statement of Student Rights." For complete text, see *Appendix F*.

Student Disciplinary Procedures

(Chancellor's Executive Order No. 109: 8/14/70)

The procedures governing hearings in matters of student discipline were established for the California State Colleges by Chancellor's Executive Order 109 of August 14, 1970. For the complete statement on "Student Disciplinary Procedures," see *Appendix G*.

Use of Photographic Evidence in Discipline Hearings

(Senate: 5/6/69, President: 5/14/69)

The determination of the appropriateness of photographic evidence in discipline hearings shall be considered a matter for the judgment of the committee or council charged to ascertain the facts in any discipline hearing.

Communications Code

(BOD/AS: 3/27/67; Senate: 4/6/67; President: 4/21/67)

The regulations governing the publications and broadcasting activities subsidized by the Associated Students and affiliated with an instructional department of the college are detailed in the "Communications Code." For complete text, see *Appendix H*.

7

Opportunities and Benefits

Outstanding Professor Awards

The Academic Senate of the California State College, Los Angeles established the Outstanding Professor Awards Program in 1963 in the belief that unusually competent performance and excellence in teaching should be encouraged, rewarded, and publicly acknowledged. The awards are based upon excellence in teaching, scholarship, research, and professional achievement. With the financial assistance of the College Foundation and the College Advisory Board, and the cooperation of faculty committees and the Alumni Association, four awards were made in 1963–64, and again in 1964–65.

Since 1965 the State Legislature has appropriated funds to the California State Colleges for a new program of Distinguished Teaching Awards, to give recognition to faculty members with exceptional teaching ability and for publication of representative work of those selected for recognition. On the basis of its size, the California State College, Los Angeles is allocated six awards.

Recipients of the Outstanding Professor Awards are selected by a faculty committee, assisted by members of the Alumni Association and the College Advisory Board. The committee seeks nominations from members of the faculty, students, and alumni. Student evaluation plays an important role in the final selection of the awardees. The following policies and procedures govern the selection of awardees.

Outstanding Professor Awards Program

(Senate: 5-2-63, 1-12-67; President: 5-14-63, 1-23-67)

1. Unusually competent performance and excellence in teaching should be encouraged, rewarded, and publicly acknowledged by a program of official awards.

2. This program shall be known as the "Outstanding Professor Awards Program."

3. These awards are made for (a) excellence of teaching, (b) scholarship, (c) research, and (d) professional activities.

4. All full-time faculty members shall be eligible for nominations for such awards.

5. Nominations for awards shall come from three sources:

Alumni Association

(1) The Board of Directors of the Alumni Association will notify annually all members of the Alumni Association of the awards and invite nominations.

(2) An appropriate nomination form constructed by the current year's selection committee will be provided each member of the Alumni Association by the Board of Directors. This form will indicate that the criteria which are to be carefully considered when making nominations in the area of teaching excellence are: (a) teaching, (b) scholarship, (c) research, and (d) professional activities. The form will also request the individual to comment directly and indirectly and pertinently within their context.

(3) The nomination form will request additional information such as: name of nominee, date and title of course taken with him, degree held by the alumnus, date thereof, signature of alumnus, etc.

Students

The current year's selection committee shall notify the currently enrolled students of the awards program and, through an appropriate form similar to that provided under 5(2) above, invite nominations for the awards.

Faculty Members

(1) The current year's selection committee shall notify all full-time faculty members of the awards program and, through an appropriate form similar to that provided under 5(2) above, invite nominations for the awards.

(2) Faculty members may also submit their nominations informally by signed letter presenting a statement in support of their nominations.

6. A selection committee, which shall designate the recipients of each award, shall be assembled annually in the following manner:

(a) The Academic Senate, through its appropriate procedures, shall designate five members of the faculty, who shall be subject to the provisions of the "Policy for Committees Which Make Awards to Individual Faculty Members."

(b) The Vice President for Academic Affairs, or his designee, shall serve as a continuing member and act as secretary of the selection committee, without vote.

(c) One representative from the College Advisory Board and one from the Alumni Association may be asked by the committee to serve in a non-voting capacity.

7. All nominations shall be channeled to the current year's selection committee.

(a) The nominations received each year will be retained for the consideration of subsequent selection committees. Nominations which resulted in awards will be subsequently disregarded.

(b) All nominations and related material are to be held in strict confidence and in the exclusive custody of the selection committee then in office. The file of a person who has received an outstanding professor award may be made available for the purpose of gaining information supporting nomination of that individual for an award by an agency outside the college with the provision that such a file may be used only with the permission of the professor concerned.

8. The nature, provisions, and number of awards will be determined annually by the Chancellor, as provided by the Legislature under the "Distinguished Teaching Awards" program. In the event that the Legislature makes no provision for the program, the Academic Senate shall make this determination and seek the necessary funds involved. In any event, additional forms of recognition may be determined by the current year's selection committee.

Emeritus Status

Upon the recommendation of the candidate's school and with the approval of the President, emeritus status may be granted to a faculty member who has retired from an active position after at least ten years of service at the college. Emeritus status of the individual is indicated appropriately in the *Catalog* until one year after death. Additional honors and privileges accorded emeritus status include faculty library privileges, recommendation for life membership in the Associated Students, and a special staff identification card from the Office of the President. (Excerpted from "Definition of Emeritus Status and Recommendations," approved by the Academic Senate, May 2, 1963; and by the President, May 14, 1963.)

Carrels

Forty-eight library carrels for individual faculty use are available for assignment for one quarter. Applications should be obtained in the Library Office, but assignments are made by the Faculty Grants and Research Committee.

Support for Research Grants, Fellowships, and Institutes

The Office of Research and Governmental Relations is responsible for the coordination and approval of research grants and institutes. Assistance is provided to faculty members in the selection of a sponsor and the most desirable format for the proposal. Appropriate clearances for the budget are obtained and academic justification of the proposed project are established. Under the guidance of the Director of Research and Governmental Relations and the Faculty Grants and Research Committee, the office serves as a clearing-house for announcements, resources, and awards. A library of brochures is maintained, typing service is provided, and a tape-recorder is available to faculty for research purposes. Emergency requests, not to exceed $50.00, may be made to the Director's Fund for items described in the Regulations.

Speakers Bureau

The Speakers Bureau is a service to community agencies and organizations in obtaining qualified faculty for speaking engagements. A brochure listing the speakers and topics is published each year and made available to approximately 1,000 community organizations.

News Bureau

The News Bureau is the official campus agency which maintains daily contact on a professional basis with all mass media. The bureau handles publicity for the professional achievement and activities of faculty members, as well as for departmental organizations and all college-related functions.

Publications Services

The Office of Publications Services provides assistance to members of the faculty and staff in the production of printed publications about the college, its educational programs and related activities. Specifically the office will render editorial aid with the preparation of copy and assistance with the technical processes of printed production, including the graphic design and layout of publications, estimating printing costs, and working with printers in production of publications.

The Trident Lounge

The Trident Lounge offers a number of excellent facilities for organizational gatherings. Teas, banquets, meetings, films, dances and other activities can be scheduled in the Trident Lounge by filing a Room Reservation request form in the Associated Students offices of the Lounge. Additional meeting areas can be arranged by contacting the Student Activities Office.

Faculty Advisers to Student Organizations

There are over one hundred student clubs and organizations on campus which are advised by faculty members. Faculty members who are interested in advising student groups and who would like to fulfill occasional requests from students for hosting special events are encouraged to list their names with the Student Activities Office.

Housing

The Student Activities Office maintains a file of furnished and unfurnished apartments, houses, and rooms near the College. Although the housing services are primarily for students, some of the listings may interest faculty members.

California State College at Los Angeles Foundation

The California State College at Los Angeles Foundation is a non-profit corporation chartered by the State of California, existing on state property by authority of the *Education Code*, and operating within a broad framework approved by the Trustees of the California State Colleges. The purpose of the Foundation is to provide a legally recognized organization with power to contract, receive, own, and dispose of property separate and apart from the state in order to further the educational objectives of the California State College, Los Angeles and to render services either impossible or impractical under existing regulations in-

cluding operation of the Campus Store and Food Service and the fiscal administration of Federal and other grants and contracts.

It is the policy of the California State College, Los Angeles and the Foundation to encourage the seeking of grants-in-aid from all sources for worthy projects and activities. The kinds of projects for which financial aid may be received include experimental research by individuals or groups of faculty members, the sponsorship of chairs for the faculty, the financing of depositories of materials, grants for the improvement of curricula or administration of the college, programs that improve the welfare of the faculty or students, the addition of buildings or equipment, scholarships, loan funds, institutes, work-shops, and projects that are proposed or sponsored by departments or groups in the college.

Workmen's Compensation

All faculty members are covered by the State Compensation Insurance Fund for work-connected injuries. It is the responsibility of the faculty member to report all accidents to his department immediately, but not later than 24 hours after the injury becomes known. If medical treatment is needed, the faculty member should go directly to the Student Health Center where first aid treatment will be provided. If further treatment is indicated, the Student Health Center will refer faculty members to an industrial clinic for initial treatment. If further treatment is required and the faculty member desires to obtain medical services through a doctor or clinic of his own choice, arrangements should be made through the College's Personnel Office. If a work-connected disability requires a faculty member to be away from employment, disability benefits are paid by SCIF commencing with the eighth day after the accident, unless faculty members are hospitalized, in which case benefits begin on the first day after the accident. Accumulated sick leave will be used to supplement temporary disability and indemnity payments to provide a full salary while disabled unless the Personnel Office is notified, in writing, that the faculty member does not wish to have his sick leave used in this manner.

Tax-Deferred Annuities

The California State Colleges offer a tax-deferred annuity program under section 403(b) of the Internal Revenue Code. The program offers the employee an opportunity to agree to a reduction in salary; the amount of the reduction is then paid to an insurance company for the purchase of an annuity. Employees participating in this program avoid having to pay income tax on that portion of the salary which is deferred, thereby shifting the income from a period of high earnings and high taxes to the post-retirement period when earnings are likely to be reduced with a corresponding reduction in federal tax obligations. Additional information is available in the Personnel Office.

Insurance Plans

Basic health benefit plans are available to all full-time faculty members. New faculty members are eligible to enroll at any time on or before the 10th day of the month in which they complete six months' employment. After six months, they are eligible for an $8.00 contribu-

tion by the state toward their approved monthly basic health plan premium.

Major medical, group term, and ordinary life insurance; disability income insurance, accidental death insurance, auto insurance, and the like are available through the various organizations on campus. During the first six months of employment at the college, faculty members have open enrollment privileges for most of these plans. After that time faculty members are eligible to apply, but will be required to submit a health statement. All of these plans are available on payroll deduction and require maintenance of membership in the sponsoring organization for continued coverage. Applications are available in the Personnel Office.

Credit Union

Faculty members of the college are eligible for membership in the California State College Federal Credit Union. Shares may be purchased in the credit union through monthly payroll deductions or by direct payment. Loans are also available under the policies established for loans by the credit union committee. Applications for loans are available in the Credit Union Office.

Payroll Deductions

Charitable contributions to MD may be made through payroll deductions. Dues in organizations and other payments as well as annual parking fees may be payroll-deducted.

All cancellations of deductions for dues in organizations and all insurance plan premiums, other than basic health insurance plans, must be effected by writing directly to the organization or company concerned. Payroll deductions for basic health insurance plans may be cancelled by completing the appropriate documents in the Staff Employment Office.

Savings Bonds

A payroll savings plan through which United States Savings Bonds may be purchased is available. Applications for payroll deductions for these bonds may be obtained from the Personnel Office.

Recreational Facilities

Facilities in the Physical Education Building, the outside court areas, and the athletic fields are available for faculty use when not occupied by scheduled programs. Recreational swimming hours are provided. Faculty are granted locker room privileges and may obtain information concerning use of these facilities from the Physical Education Department offices.

Health Services

Faculty members are given emergency care by the Student Health Service. They also are invited to participate in immunization programs which include polio, tetanus, smallpox, typhoid, paratyphoid, cholera, typhus, and other injections for travel in foreign countries.

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Retirement Plans

All faculty members employed one-half time or more are required to enter the Public Employee's Retirement System. New faculty members become members of the PERS immediately upon employment. Contributions to the PERS are a percent of the gross salary, which are based upon the nearest age at the time of becoming a member. The following are representative rates:

Age	*Rates*	
	Male	*Female*
25	5.54%	6.16%
35	6.63	7.62
45	7.95	9.18
55	9.07	10.64

In addition to membership in PERS, faculty members also are required to contribute to OASDI (Social Security). Social Security payroll deductions are made on the first $7,800 paid in the calendar year. Contribution rates for Social Security are 4.8%, will increase to 5.2% in 1971.

Employee contributions to PERS are matched by the State, and benefits are computed on the basis of the combined state and employee contributions. If employment with the state is terminated, contributions to PERS, together with any accumulated interest, will be refunded. Information pamphlets on PERS are available in the Personnel Office.

Faculty members are eligible to retire and receive a monthly allowance at age 55 if they have at least $500 on deposit or have 20 years of credited service. The normal retirement age is 60; the compulsory retirement age is 70.

The formula for voluntary service retirement is based upon the fact that faculty members at age 60 with 30 years of service will receive retirement compensation at the rate of one-half of their highest annual salary for any 36 consecutive months in state employment.

For detailed information on retirement benefits, faculty members are referred to *Information for Public Employees, California State Employees' Retirement System*, July 1, 1966, copies of which are available in the Personnel Office.

Professional Organizations

American Association of University Professors is a national organization devoted to protecting and extending rights of academic freedom and tenure, and to enhancing the general welfare and status of faculties of colleges and universities. The California State College at Los Angeles endeavors to implement these purposes, in cooperation with other faculty organizations, by (1) considering questions of general concern to college professors, (2) considering local questions of educational policy, and (3) acting as an initiating agency for faculty action. The President (or his designee) of The American Association of University Professors is an honorary member of the Academic Senate.

California College and University Faculty Association, affiliate of *California Teachers Association*, aims (1) to promote continuing studies

of the problems of the profession, (2) to encourage cooperation and participation of all college professional personnel in endeavors to solve problems uniquely applying to the profession, (3) to promote professional attitudes and ethical conduct among its members, (4) to raise the standards of the teaching profession, (5) to advance the professional welfare of its members and the welfare of the college, and (6) to encourage closer relationships between the college and the total profession and between the college and the agencies which it serves. The President (or his designee) of the California College and University Faculty Association is an honorary member of the Academic Senate.

California State Employees Association is a statewide association of over 100,000 members. Chapter 107, with its 900 members, is the largest employee organization on campus. Membership provides both academic and non-academic members with numerous benefits, such as legal counseling and representation in grievance matters, a degree of influence over legislative and other statewide matters, special insurance plans, and purchasing discounts. The president (or his designee) of the California State Employees Association is an honorary member of the Academic Senate.

Faculty Women's Association of California State College, Los Angeles is organized to (1) provide a scholarship for a deserving woman student, (2) initiate, or lend support to movements concerned with college improvement, and (3) foster fellowship among its members. Officers are elected for a one-year period to carry out the program. Dues are nominal and used to finance the scholarship.

United Professors of California is a professional organization composed of faculty and staff members of the State Colleges and Universities in California. Its purposes include furthering educational opportunity, protecting intellectual freedom, improving scholarship and teaching, and promoting reason and justice. To achieve the objectives of the organization, UPC seeks to unify the faculty in support of the following activities: securing collective bargaining rights; engaging in political action in support of higher education; representing the faculty before decisionmaking bodies; and providing members of the academic community all assistance necessary for the just settlement of their grievances. The President (or his designee) of the United Professors of California is an honorary member of the Academic Senate.

Appendices

Appendix A

CONSTITUTION OF THE ACADEMIC SENATE OF THE CALIFORNIA STATE COLLEGES

(as amended through January 21, 1965)

In order to provide for participation by the faculties of the California State Colleges in the formulation of systemwide policy relating to the Colleges, there is hereby created the Academic Senate of the California State Colleges.

Article I

Section 1. *Purpose*

(a) It shall be the purpose of the Academic Senate of the California State Colleges to serve as the official voice of the faculties of the California State Colleges in matters of systemwide concern; to consider matters concerning systemwide policies and to make recommendations thereon; to endeavor to strengthen the senates and councils of the several colleges; and to assume such responsibilities and perform such functions as may be delegated to it by the Chancellor or the Trustees of the California State Colleges.

(b) The Academic Senate of the California State Colleges shall have no authority over those matters delegated to the individual colleges by the Chancellor or by the Trustees; and nothing in this Constitution shall be construed to impair the right of senates and councils of the several colleges to communicate through appropriate channels with the Chancellor and the Trustees.

(c) All recommendations of the Academic Senate of the California State Colleges shall be addressed to or through the Chancellor.

Article II

Section 1. *Eligibility to Vote for Representatives*

All members of the faculty at each college shall be eligible to vote for representatives to serve in the Academic Senate. The term faculty shall mean all personnel at the college with full-time assignments in teaching, research, administration and other activities closely related to the educational program, or a combination of these. The senate or council of each college shall determine, in a manner consistent with policies adopted by the Trustees, which administrative and other positions are closely related to the educational program at the college. The term senate or council of each college shall mean the elected representative body established at each college by the faculty of the college.

Section 2. *Eligibility to Serve as a Representative*

Only those persons eligible to vote for representatives shall be eligible to serve as representatives, *provided:* that the faculty of a college may, in its discretion, establish additional requirements for eligibility to serve as representative of that college.

Section 3. *Membership*

Members of the Academic Senate shall consist of:

(a) two members elected from each college with less than ten-thousand full-time-equivalent enrollment

(b) three members elected from each college with more than ten-thousand full-time-equivalent enrollment, but less than twenty-thousand full-time-equivalent enrollment

(c) four members elected from each college with more than twenty-thousand full-time-equivalent enrollment

(d) The Chancellor or his representative as an ex-officio member.

For purposes of this section, full-time-equivalent enrollment shall mean the average annual total full-time-equivalent enrollment reported for the academic year in which an election is held. For purposes of representation, the San Luis Obispo and Kellogg campuses of the California State Polytechnic College shall be considered as separate colleges.

Section 4. *Representation for New Colleges*

The faculty of each newly established college shall elect its first voting representatives in the spring of the first year of instruction. At any time after establishment of the college and prior to the time voting representatives take office, the faculty of the college may send a non-voting representative.

Section 5. *Elections*

Representatives shall be elected at each college in a manner to be determined be the faculty of the college. In any year in which an election shall be held at any college, the election results shall be certified to a designated officer of the Academic Senate by the principal elected officer of the faculty of such college on or before May 15, and representatives elected shall take office on or before June 15.

Section 6. *Terms of Office*

Representatives shall serve a term of three years, except as otherwise provided in this section. The Academic Senate, at its first meeting shall establish by appropriate procedures the length of terms of its members in such fashion that one-third of the members shall be elected each year. It shall also establish the length of the initial term of each additional voting representative at or prior to the time such representative takes office.

Section 7. *Substitute Members*

In the event that an elected member will be absent for one semester or longer, the faculty of his college shall replace him in the same manner as other representatives from that college are initially elected or in such other manner as may be determined by the faculty of the college. In the event an elected representative of a college is unable to attend a meeting of the Academic Senate, the senate or council of that college shall name a substitute who shall have the right to attend and vote at that meeting.

Section 8. *Recall of Representatives*

A representative of a college may be recalled by majority vote of those voting within the constituency which elected him under procedures established by the faculty of the college.

Article III

Section 1. *Names of Officers*

There shall be a chairman of the Academic Senate, and such other officers as shall be specified in the By-Laws.

Section 2. *Duties of Officers*

The time and manner of election, the length of terms and the duties and responsibilities of officers shall be specified in the By-Laws.

Article IV

Section 1. *Meetings*

There shall be at least two meetings during each academic year. Within budgetary limitations, additional meetings may be convened by the Chancellor or by procedures which shall be specified in the By-Laws.

Section 2. *Voting*

A quorum shall consist of a majority of the membership. Action shall require the approval of a majority of those present and voting. Voting by proxy shall not be permitted.

Article V

Section 1. *Referendum*

Any recommendation adopted by the Academic Senate shall be referred to the faculties of the California State Colleges when resolutions requesting such a referendum are adopted by the senates or councils of at least one-third of the colleges, or when forty per-cent of the membership of the Academic Senate supports a motion for such a referendum. Approval of recommendations so referred shall require a majority of the votes cast at a balloting held for the purpose.

Article VI

Section 1. *Communication with the Colleges*

In order to provide adequate communications with the faculties of the several colleges, the Academic Senate shall circulate to the senate or council and to the president of each college such materials as agenda for and minutes of its meetings, committee reports and information on pending matters.

Article VII

Section 1. *By-Laws*

The Academic Senate may adopt By-Laws not inconsistent with this Constitution, provide for committees, and establish its own rules of procedure.

Section 2. *Rules of Order*

Unless otherwise provided in this Constitution or in the By-Laws, the rules contained in Robert's Rules of Order Revised, as copyrighted in 1951 by Isabel H. Robert, shall govern the proceedings at and the conduct of the meetings of the Academic Senate and its committees.

Article VIII

Section 1. *Amendments*

Amendments to this Constitution compatible with the responsibilities assigned by the Trustees may be proposed by a resolution adopted by majority vote of one-third of the senates or councils of the several colleges, or by a majority of those present and voting at a meeting of the Academic Senate.

Section 2. *Ratification of Amendment*

Ratification shall require a majority of the total vote cast in a systemwide referendum and a majority of the votes cast at each of a majority of the colleges.

Section 3. *Adoption of Amendments*

Amendments shall become effective upon ratification by the faculties of the several colleges and approval by the Trustees.

Appendix B

CONSTITUTION OF THE FACULTY
CALIFORNIA STATE COLLEGE, LOS ANGELES

(Faculty Council: 5/15/58; President: 5/15/58; Faculty: 11/6/58)
(Senate: 5/4/67; Faculty: 6/16/67; President: 6/30/67)
(Senate: 4/16/68; Faculty: 5/17/68; President: 5/23/68)
(Senate: 11/4/69; Faculty: 4/7/70; President: 4/9/70)

PREAMBLE

General Principle

It is assumed that orderly faculty participation in policy making, and a clearly defined organizational structure dsigned to promote such participation, will contribute to a clearer understanding of the mutual problems and responsibilities of the faculty and the administration of the California State College, Los Angeles.

Means of Promoting Orderly Participation

Effective faculty participation in the formulation of policies requires the establishment of a representative body which acts for the faculty, provides for faculty planning and consideration in the development of college policy, and insures regular communication between faculty and administration in policy matters.

Faculty Constitution

To meet this need, a constitution for the faculty of the California State College, Los Angeles is recommended. The following proposals are incorporated in this draft of a constitution:

1. There shall be established an Academic Senate elected by, and representative of, the faculty body.

2. The Academic Senate shall meet regularly with the President and other members of the college administration to represent faculty viewpoints in the determination of policy.

3. There shall be established an Executive Committee composed of representatives of the Academic Senate.

4. The success of the program for faculty-administration relationships and the ultimate value of the contributions made by the faculty in policy areas depends on the assumption that Senate recommendations will be accepted whenever there is no compelling reason to reject them.

Article I. Name

The name of the organization shall be the Faculty of the California State College, Los Angeles.

Article II. Purpose

The purpose of this organization of the faculty is to provide procedures for the orderly cooperation of the academic-administrative and academic faculty in the interests of the college as a whole. To achieve this purpose there are established herein the following recognized bodies: the faculty; the Academic Senate of the

California State College, Los Angeles, hereafter referred to as the Academic Senate; the Executive Committee of the Academic Senate; and such other bodies as are described below or as shall be designated from time to time. The Academic Senate is the representative body of the faculty of the college.

Article III. The Faculty

Section 1. *Membership*

The faculty of the California State College, Los Angeles is defined to include all members of the full-time academic and academic-administrative staffs as designated by the California State College personnel regulations, the President, and the Academic Senate.

Section 2. *Presiding Officer*

The President of the College shall preside over meetings of the faculty. In the absence of the president, a person appointed by him shall preside.

Section 3. *Meetings*

General meetings of the faculty may be called at the request of the President of the College, or at the request of the Chairman of the Academic Senate, or by a petition signed by ten per cent of the members of the faculty currently in residence.

Section 4. *Agenda*

Agenda for meetings of the faculty shall be established by the President of the College and the Executive Committee of the Academic Senate. Items for the agenda may be submitted by the President of the College, by the Chairman of the Academic Senate, or by a petition signed by ten per cent of the members of the faculty currently in residence. The agenda shall be in the hands of the faculty at least two days prior to the meeting.

Section 5. *Quorum*

A quorum shall consist of twenty-five per cent of the members of the faculty currently in residence, but in no event less than 150.

Section 6. *Voting*

All matters put to a vote (except as provided in Article VI) will be decided by a majority of those present, provided that a quorum is present. The Executive Committee of the Academic Senate is responsible for submitting substantive matters to a vote of the entire faculty by mail ballot if a majority of those present at any faculty meeting, with or without a quorum, so directs. Such ballots shall be accompanied by arguments favoring and opposing the proposed action; the responsibility for preparing the favorable argument shall rest with the mover of the proposal; the responsibility for preparing the adverse argument shall be assigned by the Executive Committee of the Academic Senate from among those who opposed the motion.

Section 7. *Rules of Procedure*

Except as it conflicts with this constitution, *Robert's Rules of Order* (Revised) shall be used in governing all meetings of the faculty.

Section 8. *Eligibility to Vote*

All full-time tenured and probationary faculty have the right to vote in faculty elections, as do those faculty members over 70 years of age who achieved tenure prior to retirement. Faculty members employed specifically for one year or less are not eligible to vote in elections or collegewide meetings or on personnel matters

of any nature. The eligibility of full-time faculty employed specifically for one year or less to vote in school or department meetings on other matters shall be determined by the school or department concerned. These faculty shall not vote in that determination. Part-time faculty are not eligible to vote in faculty meetings or in faculty elections at any level.

Article IV. The Academic Senate

Section 1. *Function*

The Academic Senate is the official representative body of the faculty.

Section 2. *Membership*

a. All members of the faculty are eligible for election to the Senate and shall be chosen on the proportionate basis as described in Section 3 below. In addition to elected senators, the Academic Senate shall include the vice presidents, the deans of the schools, the division chairmen, the immediate past chairman of the Academic Senate, and the faculty representatives to the Academic Senate of the California State Colleges, as *ex-officio* members of the Senate. If any of the foregoing members has been elected to the Academic Senate, no additional vacancies shall accrue.

b. The President of the College shall be an honorary member. The presidents (or their designees) of the professional campus organizations open to all full-time faculty shall be extended the privilege of honorary membership. Honorary members shall have the right to participate in debate, but may not introduce motions or vote.

c. In addition to the membership indicated in *Article IV, Section 2, Subsection A*, there shall be five student voting members of the Academic Senate, four elected as indicated in *Article IV, Section 3, Subsection H*, plus the President of the Associated Students *ex-officio*.

Section 3. *Election to the Senate*

a. Each school or division shall elect the proportion of thirty-five members which shall represent the school's and division's proportion of the total faculty. No school or division shall have fewer than two members. For the purpose of election to the Senate, faculty members in administration, counseling, and the library, excepting those covered in d., below, shall be construed to be a division. The College Librarian shall conduct elections among the eligible members in administration, counseling and library as indicated in e. below.

b. To provide replacements during vacation periods or other absences of an elected member, each school or division, shall also elect a number of alternates equal to at least fifty per cent of the number of regularly elected members.

c. The proportions shall be determined by the Executive Committee and presented to the Senate no later than eight weeks prior to the end of the spring quarter. The official list of full-time faculty maintained by the Vice President for Academic Affairs indicating the number of full-time positions filled in each department in the quarter that the election takes place will be used by the Executive Committee for determining the proportions.

d. Faculty members serving in administrative posts will vote with the school or division in which they hold academic rank and will be eligible for election to the Senate as members of that school or division.

e. Upon approval of the proportions by the Senate, the Chairman of the Senate shall promptly transmit this information to the appropriate schools or division indicating the number of representatives to be elected for the coming year. Not later than six weeks prior to the end of the spring quarter, each school or division shall name from among its own members at least twice as many nominees as there are positions allocated by the Senate. Nomination procedures must insure faculty participation in the selection of names for nomination. Not later than two weeks after the nominations have ben made, elections, by secret written ballot, for rep-

resentatives to the Academic Senate shall be held in each school or division. No candidate or alternate shall be declared elected unless he has received a majority of the votes cast.

f. Certification of election procedures and election of Senators shall be made to the Senate by the school or division election committee.

g. Five members-at-large and three alternates will be elected to the Senate by the entire faculty. Each school and division will provide at least two nominees for each vacant position. Said nominees will be placed on a ballot for a faculty-wide election to be conducted by the Executive Committee after schools and divisions have conducted their elections of Senators. Additional nominations by petition may be made as indicated in *Section 4* below.

h. One sophomore, one junior, one senior, and one graduate student shall be elected to the Academic Senate by the student body in general election. Students elected to the Academic Senate shall serve one year terms. Undergraduates elected to the Academic Senate shall be students in good standing, be enrolled in at least six units during their service in the Senate, and, at the time of election, have been in residence at CSCLA for at least two quarters. The graduate student elected to the Academic Senate shall have classified standing, be in good standing, be enrolled during his service in the senate, and, at the time of election, have been in residence at CSCLA for at least two quarters. In the event that a student senator's office becomes vacant, the Board of Directors of the Associated Students may appoint a replacement from the appropriate class to serve until the next general election. Certification of election procedures and election of student senators shall be made to the Senate by the Student Elections Commissioner.

Section 4. *Membership in the Academic Senate of the California State Colleges*

Faculty representatives to the Academic Senate of the California State Colleges shall be nominated by the Academic Senate of the California State College, Los Angeles, and elected by the faculty at large. At least two members of the faculty must be nominated for each open position. Additional nominations may be made by petition of fifty members of the full-time faculty provided such petition is submitted to the Chairman of the Academic Senate within five school days following the presentation to the faculty of the slate nominated by the Academic Senate.

Section 5. *Tenure of Office*

a. Each elected member of the Senate or his alternate shall take office at the first Senate meeting of the Fall Quarter. Each elected member shall serve for three years except that terms of one year or two years may be assigned, by lot, to Senators when necessary to allow one-third of the membership to be elected each year.

b. Replacement during the vacation of an elected member. At least six weeks before a member goes on vacation, such member shall notify the office of the dean or division chairman concerned. The dean or division chairman will notify the Executive Committee of the Academic Senate of the replacement.

Section 6. *Officers of the Academic Senate*

The officers shall consist of a chairman, vice chairman, and secretary. After election of the new Senate in the Spring Quarter, but no later than the last week of scheduled classes in the Spring Quarter, an organizational meeting of this new Senate shall be held for the purpose of electing officers and other members of the executive committee to take office at the first Senate meeting of the Fall Quarter.

a. *Election of the Chairman.* The Senate shall elect a chairman from the Senate membership. He shall take office upon election and serve until the election of his successor. The chairman shall be elected by a majority of the votes cast by secret ballot.

b. *Duties of the Chairman.* The chairman shall preside at all meetings of the Senate. If the chairman is unable to be present at a meeting, the vice chairman shall act in his behalf. The chairman may appoint such committees as are deemed advisable to carry out the business of the Senate. The chairman shall approve publication of minutes of Senate meetings. The chairman shall be the presiding officer of the Executive Committee of the Senate.

c. *Election of the Vice Chairman.* The vice chairman shall be elected in the same manner as the chairman.

d. *Duties of the Vice Chairman.* The vice chairman shall act in the absence of the chairman and shall become chairman of the Senate in the event the chairman is unable to complete his term of office. In the latter event, the Senate shall elect a Vice Chairman to fill that office for the remainder of that term of office.

e. *Election of the Secretary.* The secretary shall be elected in the same manner as the chairman.

f. *Duties of the Secretary.* The secretary shall keep a permanent record of minutes of all meetings of the Senate. He shall distribute copies of such minutes to the President of the College, the Senate members, the faculty, and the Board of Directors of the Associated Students as soon as possible after each meeting.

g. If any of the officers of the Academic Senate or members of its Executive Committee are to be on leave or absent for a quarter, the Senate shall at the last Senate meeting in the quarter preceding such leave or absence elect interim officers or Executive Committee members until such absentees resume their duties at the College.

Section 7. *Standing Committees*

a. *Executive Committee.* The Executive Committee shall plan the actions of the Senate including the agenda.

1. The Executive Committee shall consist of the chairman, the vice chairman, and the secretary of the Academic Senate plus the immediate past chairman (as a non-voting member) and four other members who are elected by secret ballot by the members of the Senate for a one-year term. No more than three members of the Executive Committee shall be from any one school or division.

2. The Executive Committee is empowered to act in emergency situations for the Academic Senate during the Summer Quarter and at such other times as it is impossible to gather a quorum of the Senate. Any action taken by the Executive Committee in this instance must be reported to the Senate at its next meeting. No action may be taken by the Executive Committee, acting in behalf of the Academic Senate, without two-thirds of the voting members of the Executive Committee being present.

3. The Executive Committee is empowered to refer any matters not requiring emergency action to appropriate committees. It may also make recommendations to the Senate on items which are not under the jurisdiction of any Senate Committee.

b. *All-College Committees.* The President, the Senate, or the faculty by majority vote may request the establishment of all-college committees. Appropriate all-college committees shall be established by the Senate to recommend policies and procedures necessary to the orderly functioning of the college. Each all-college committee is an agent of the Senate and makes its recommendations to the Senate. As the first order of business after announcements, any member of the Senate may give notice of intent to raise questions concerning the actions of any committee. When reports and recommendations of all-college and *ad hoc* committees are made to the Senate, committee members shall have the privilege of addressing the Senate throughout the period of the discussion of the report.

Section 8. *Meetings*

a. *Regular Meetings.* There shall be at least three meetings of the Senate in each Fall, Winter, and Spring Quarter of the year at a time and place designated by the Senate. In the event that such regular meeting date falls upon a legal holiday,

then such meeting shall be held on the same day of the following week at the same time and place.

b. *Special Meetings.* The chairman shall call a special meeting on the request of the president or after petition by ten members of the Senate or at his own discretion. Such meeting shall be called within one week after such request or petition; and written notice thereof shall be given to all members of the Senate by special delivery to their homes at least two week days prior to the meeting, and shall contain a general statement of the business to be brought before the meeting.

c. *Visitors.* Meetings of the Senate will be open only to members of the faculty and other persons granted prior permission by the chairman.

d. *Quorum.* One-half of the voting membership of the Senate shall constitute a quorum.

e. *Conduct of Meetings.* Except as herein otherwise provided, *Robert's Rules of Order* (Revised) shall govern the conduct of meetings.

f. *Agenda.*

1. The agenda will be prepared by the Executive Committee for each regular or special meeting of the Senate. The agenda will be made available to the President, the Senate, the faculty, and the Board of Directors, Associated Students, at least two days prior to the meeting.

2. Members of the faculty may submit agenda items to the Executive Committee at any time in writing.

3. Matters not included on the agenda as adopted shall not come before the meeting until all agenda matters have been disposed of, at which time new business may be proposed for consideration, provided, however, that new business may be brought before the meeting out of regular order with the consent of not less than two-thirds of the members present.

g. *Voting on Substantive Motions.* Voting on substantive motions or amendments to such motions shall not take place until the meeting immediately following the introduction of the motion, except that the Academic Senate, by three-fourths vote of those present, may waive this requirement.

h. *Granting Floor Privileges to Non-Senate Members.* The chairman of the Academic Senate may at his discretion recognize anyone wishing to address the Senate on any agenda item under consideration.

i. *Proxies.* In the event an elected member of the Senate is unable to attend a meeting, he may designate an authorized elected alternate to act as a proxy. Ex-officio members without elected alternates may designate any member of the faculty to serve as a proxy. This must be accompanied by a notice in writing to the chairman of the Senate prior to the meeting.

j. In the event that the President rejects a Senate recommendation, he shall inform the Senate, in writing to the Chairman of the Senate, of the compelling reasons for his rejection of the Senate recommendation.

Article V. Relationships with Other Organizations

Nothing in this constitution shall be construed to discourage members of the faculty from freely associating in other groups and organizations and through such associations independently presenting their views to the President of the College and/or the Academic Senate.

Article VI. Amendments

This constitution may be amended by a two-thirds majority of the votes cast by the faculty of the College in a mail secret ballot with the approval of the President of the College, provided that all members are given notification of the proposed amendment at least ten school days in advance and provided further that the deadline for return of the ballot is not less than ten school days after its distribution.

Appendix C

PRESIDENT'S DIRECTIVE REGARDING THE USE OF STATE COLLEGE BUILDINGS AND GROUNDS

1. Authority for Issuance

This directive is issued pursuant to Sections 42350–42353 of Article 9, Subchapter 4, Chapter 5 of Title 5 of the California Administrative Code, relating to the use of State College buildings and grounds.

2. Scope of this Directive

This directive is limited to those matters with respect to which the regulations just cited envision directives or designations by State College presidents. In the sections of this directive which follow, the Title 5 regulations are set out in italics and are followed by specific directive provisions or designations, where appropriate.

Violation of the Title 5 regulations, including this directive, is punishable as a misdemeanor. (Education Code Section 23604.1)

All directives and policies of this college relating to its students and employees now in force, or which may hereafter be adopted, are continued, except to the extent that a specific conflict may arise between such provisions, and 5 Cal. Adm. Code Sections 42350–42353 and the provisions of this directive which follow.

3. Soliciting, etc.: Section 42350

Subdivision (a)

"The soliciting, selling, exposing for sale, or offering to sell of any goods, articles, wares or merchandise of any nature whatsoever, on a State College campus, is prohibited except by written permission of the president of the State College or his designee."

DIRECTIVE:

a. Advertisements in the *College Times* and other publications of recognized student or faculty organizations are approved without further notice.

b. Advertisements by students, and recognized organizations thereof, are approved for posting on student bulletin boards subject to the provisions of the Notifications Code of the Associated Students of the California State College at Los Angeles. Advertisements by employees, and recognized organizations thereof, are approved for posting on bulletin boards provided for the joint use of said organizations and located at North Hall, Administration Building, and the lobby of the Faculty Dining Room, subject to the rules established by the Personnel Officer with respect to size and priority of posting.

DESIGNATION:

c. The President's designee for purposes of this subdivision is the Dean of Students when the applicant is a student or a recognized organization thereof; the Vice President for Business Affairs when the applicant is an employee or a recognized organization thereof.

Subdivision (b)

"This section shall not apply to private sales between individuals where no general or public solicitation, exposure for sale or offer to sell is involved."

Subdivision (c)

"This section shall not apply to the soliciting, selling, exposing for sale, or offering to sell of books, newspapers, magazines, pamphlets and similar published

materials pursuant to Section 42351, unless the same is attached to or made a part of some other article, ware, or merchandise as, for example, a printed wrapper covering an article of apparel."

4. Soliciting, etc. of Published Materials: Section 42351

Subdivision (a)

"The personal soliciting, selling, exposing for sale, or offering to sell by any person or persons, of any books, newspapers, magazines, pamphlets and similar published materials shall be permitted on a State College campus, provided that such published materials are not available for sale at the college bookstore; subject, however, to reasonable regulation by the respective State College president as to the time, place and manner thereof. All directives issued by a State College president pursuant to this section shall be available to the public at places designated pursuant to Section 42353."

DIRECTIVE:

a. Activity within the scope of this subdivision is approved subject to the following:

TIME: At times determined by the President or his designee (Dean of Students), based upon other requirements which may be made of the facilities at or about the same time as that requested, including other requests under this section, any conflicts with the College calendar and programs, and the availability of such facilities and personnel as the President or his designee (Dean of Students) may consider necessary.

PLACE: Public Expression Areas, King Hall Walkway, Entrance to Cafeteria, Entrance to Trident Lounge, and Entrance to South Tower. Posting of materials is not authorized under this section.

MANNER: Without deliberate provocation, harassment, or disturbance of persons in the area, or any disturbance of the peace as outlined in Sections 415 and 416 of the California Penal Code; and subject to the premises being left in the same manner as they are found. Published materials shall be sold from tables only and vendors are not to confront passersby with materials for sale.

Subdivision (b)

"This section shall not apply to private sales between individuals where no general or public solicitation, exposure for sale or offer to sell is involved."

Subdivision (c)

"Nothing in this section shall permit the soliciting, selling, exposing for sale or offering to sell of any material in violation of the provisions of Chapter 7.5, Title 9, Part 1 of the Penal Code, including any amendments thereto which may be enacted subsequent to the adoption of this Section."

5. Handbills and Circulars: Section 42352

Subdivision (a)

"No person or persons shall, upon any of the grounds of any State College, cast, throw, deposit, or distribute among pedestrians, or to persons in vehicles, any commercial advertising handbills or circulars, or any handbill or circular distributed for the purpose of advertising any merchandise, commodity, property, business, service, art or skill, offered, sold or rendered for hire, reward, price, trade or profit; provided, however, that the president of a State College, or his designee, may permit students enrolled at that college, and persons employed at that college, to distribute handbills and circulars as part of the activities of a recognized student organization at the State College, or an organization of employees at the State College."

DESIGNATION:

b. The President's designee for purposes of this subdivision is the Dean of Students when the applicant is a student or a recognized organization thereof; the Vice President for Business Affairs when the applicant is an employee or a recognized organization thereof.

Subdivision (b)

"It shall be unlawful to dispose or place in or on any motor vehicle parked within any State College any commercial advertising handbills or circulars, or any handbills or circulars distributed for the purpose of advertising any merchandise, commodity, property, business, service, ware or skill, offered, sold or rendered for hire, reward, price, trade or profit."

Subdivision (c)

"The distribution of written or printed matter devoted to the expression of views, opinions, beliefs or contentions relating to, or of notices or announcements of meetings to be held for discussion of religious, political or sociological subjects, or to public or civic affairs, or other controversies, or which treat any social or economic order or which relate to the arts or sciences or which otherwise are not distributed for the purpose of soliciting business, trade or custom shall be permitted on State College campuses, subject, however, to reasonable regulation by the respective State College president as to the time, place and manner thereof. All directives issued by a State College president pursuant to this section shall be available to the public at places designated pursuant to Section 42353."

DIRECTIVE:

TIME: At times determined by the President or his designee (Dean of Students) based upon other requirements which may be made of the facilities at or about the same time as that requested, including other requests under this section, any conflicts with the college calendar and programs, and the availability of such facilities and personnel as the President or his designee (Dean of Students) may consider necessary.

PLACE: Public Expression Areas, King Hall Walkway, Entrance to Cafeteria, Entrance to Trident Lounge, and Entrance to South Tower. Posting of materials is not authorized under this section.

MANNER: Without deliberate provocation, harassment, or disturbance of persons in the area, or any disturbance of the peace as outlined in Sections 415 and 416 of the California Penal Code; and subject to the premises being left in the same manner as they are found.

6. *Public Meetings, Performances, Rallies, and Similar Public Events:* Section 42353

"The president of the State College or his designee may restrict the use of State College buildings and grounds for public meetings, performances, rallies and similar public events to those public meetings, performances, rallies and similar public events which are held in accordance with reasonable regulations by the respective State College president as to the time, place and manner thereof."

DIRECTIVE:

a. Activity within the scope of this section is approved subject to the following:

TIME: At times determined by the President or his designee based upon other requirements which may be made of the facilities at or about the same time as that requested, including other requests, under this section, any conflicts with the college calendar and programs, and the availability of such facilities and personnel as the President or his designee may consider necessary.

PLACE: To be determined by the nature of the event.

MANNER: In conformity with the guidelines, criteria, and procedures set forth in the "Summary of Policies on Creative and Related Arts Developed at California State College at Los Angeles, July 18, 1968."

DESIGNATION: The President's designee for purposes of this section is the Dean of Students when the applicant is a student or a recognized organization thereof; the Vice President for Business Affairs when the applicant is an employee or a recognized organization thereof; and the Vice President for Academic Affairs when the activity is related to the instructional program of the college. The Vice President for Business Affairs shall be the President's designee when the applicant is not a member of the college community.

7. *Notice:* Section 42354

"*Notice shall be posted at or near the principal entrances of each State College calling attention to the existence of regulations relating to soliciting handbills and circulars, and to public meetings, performances, rallies and similar public events, citing by the number the sections in this Article, and designating the places where copies thereof and of directives issued by the State College president pursuant thereto may be examined.*"

This directive shall be available for examination at the College Business Office or the Campus Police Office.

NOTICE

SOLICITING, SELLING, EXPOSING FOR SALE OR OFFERING FOR SALE OF GOODS, ARTICLES, WARES, MERCHANDISE; THE DISTRIBUTION OF HANDBILLS AND CIRCULARS; AND PUBLIC MEETINGS, PERFORMANCES, RALLIES AND SIMILAR PUBLIC EVENTS ARE SUBJECT TO REGULATION. VIOLATIONS ARE PUNISHABLE AS MISDEMEANORS, TITLE 5, CALIFORNIA ADMINISTRATIVE CODE, SECTIONS 42350, 42351, 42352, 42353, AND 42354. COPIES OF THESE REGULATIONS AND OF DIRECTIVES ISSUED THEREUNDER MAY BE EXAMINED AT THE OFFICE OF THE VICE PRESIDENT FOR BUSINESS AFFAIRS, DEAN OF STUDENTS, OR CAMPUS POLICE.

Appendix D

POLICY FOR USE OF CAMPUS FACILITIES

(Senate: 7/11/67; President: 7/12/67)

Campus facilities shall be made available for the use of faculty and recognized on-campus student groups and outside groups under the conditions set forth in the following definitions, rules, and codes.

1. When a faculty or recognized on-campus student group encumbers a facility (whatever the purpose), they will pay all costs for services provided in conjunction with "out-of-pocket" costs.

a. Out-of-pocket costs are to include direct salary expense incurred as the result of the particular event for on-campus groups. Hours worked on an event shall be, by definition, overtime and will be charged at time and one half.

b. Such costs shall also include any repair of equipment and physical plant required beyond that incurred by normal wear and tear, and shall include pro-rated depreciation costs for expendable accessories.

2. No charge shall be made to all faculty and recognized on-campus student groups for any equipment utilized. However, responsible use of the equipment is implied in making it available to faculty, student, and staff groups.

3. Prior event charges must be paid in full before any subsequent request for facilities by the same group will be approved.

4. Fourteen calendar days' notice will be required for all facilities use requests requiring rooms of over 205 capacity.

5. For the purposes of facilities utilization, recognized on-campus student groups are those whose names appear on the roster of student organizations published and maintained by the Student Activities Office.

6. Definition of faculty groups:

a. A faculty *member* for the purpose of facility utilization is defined as follows: All members of the full-time teaching staff, the President of the College, the Chief Instructional Officer, the Chief Fiscal Officer, Deans, Associate Deans, Assistant Deans, and professional employees in Administration, Library, and Student Personnel.

Whenever the classification of a position as to faculty status is in doubt, the question shall be referred to the Executive Committee of the Academic Senate for decision.

b. For the purpose of use of facilities, a faculty group will be defined as one of the following:

(1) Any faculty group granted honorary membership in the Academic Senate.

(2) Any professional or scholarly organization which holds its national, regional, or local meeting on the college campus. Whenever the status of a group is in doubt, the question shall be referred to the Executive Committee of the Academic Senate for decision in consultation with the President of the College.

(3) *Ad hoc* faculty-sponsored groups whose purposes are consistent with the *State Administrative Code*.

7. Request for use of facilities by outside groups may be considered providing said group falls within one of the following categories as defined by the *Education Code*.

a. A governmental agency.

b. A non-profit, charitable, educational, or a character-building organization.

c. A group or individual for educational or non-commercial purpose.

Outside groups are defined as any group which holds a function on campus which is not sponsored by the college.

8. Definitions of off-campus group activities that would not be allowed to use the facilities as governed by *Section 24101* of the *Education Code* and as interpreted by SCAM 923.02 and 923.03, include but are not limited to:

a. Activities primarily of a social nature; e.g., dances, concerts, parties, and dinners.

b. Political rallies.

9. *Rental Fees—On-Campus Student Groups.* Rental fees are not to be assessed against recognized on-campus student groups where the following conditions are met:

a. All fees collected by the group generated as the result of an activity where an admission charge is made must be deposited and administered through established channels as defined by the Office of Student Activities.

b. Funds collected must be disbursed only for the purpose for which the group is organized and compatible with the objectives defined in the charters granted student organizations.

10. *Rental Fees—Off-Campus Groups.* Rental fees shall be charged for the following facilities according to fee schedules authorized by code and policy and reviewed by the Fiscal Affairs Committee.

a. Athletic facilities.

b. Conference rooms, classrooms, and lecture halls.

c. Auditoriums and theatres.

d. Broadcast Service Center.

11. The college Business Office shall act as the agent to implement these policies according to the fee schedule established under California State College Board of Trustees policy.

12. *Parking.*

a. Persons coming to campus to perform a service to the college without remuneration (speakers, musicians, commercial consultants, medical center, etc.) shall be provided courtesy parking. Prior arrangements should be made with the Information Desk to provide parking for these persons.

b. Persons coming to campus to perform a service to the college for remuneration (teacher substitutes, general sales, coaches, speakers, etc.) shall pay for their parking.

c. Persons coming to campus to receive a service (placement, counseling, admissions, advisement, information, etc.) shall pay for their parking.

13. It is recognized that from time to time there may be requests for use of campus facilities where the application of policy and the fee schedule would be inappropriate. In such cases it is assumed that the college will act as co-sponsor for the event and only direct costs would be charged. Such determination shall be made by the President or his designee.

Appendix E

FACULTY DISMISSAL

(Provisions of the California Education Code)

Dismissal, Demotion, or Suspension

24306. A permanent or probationary academic or nonacademic employee may be dismissed, demoted, or suspended for the following causes:

(a) Immoral conduct.
(b) Unprofessional conduct.
(c) Dishonesty.
(d) Incompetency.
(e) Physical or mental unfitness for position occupied.
(f) Failure or refusal to perform the normal and reasonable duties of the position.
(g) Conviction of a felony or conviction of any misdemeanor involving moral turpitude.
(h) Fraud in securing appointment.
(i) Drunkenness on duty.
(j) Addiction to the use of narcotics or habit forming drugs.

(Amended by Stats. 1961, Ch. 1828.)

Inclusions within "Unprofessional Conduct"

24307. "Unprofessional conduct" as used in Section 24306 includes, but is not limited to:

(a) Membership in, or active support of, a "communist front," a "communist action" organization, or a communist organization, as those terms are now defined in the act of the Congress of the United States designated as "Internal Security Act of 1950."

(b) Persistent active participation in public meetings conducted or sponsored by an organization mentioned in subdivision (a) of this section.

(c) Willful advocacy of the overthrow of the Government of the United States or of the State, by force, violence or other unlawful means, either on or off the campus.

(d) Willful advocacy of communism, either on or off the campus, for the purpose of undermining the patriotism of pupils, or with the intent to indoctrinate any pupil with communism or inculcate a preference for communism in the mind of any pupil.

Notice of Dismissal, Demotion, Suspension, or Reassignment

24308. Notice of dismissal, demotion or suspension for cause of an academic or nonacademic employee shall be in writing, signed by the Chancellor or his designee and be served on the employee, setting forth a statement of causes, the events or transactions upon which the causes are based, the nature of the penalty and the effective date, and a statement of the employee's right to answer within 20 days and request a hearing before the State Personnel Board.

(Amended by Stats. 1961, Ch. 1828.)

Hearing for Employee Dismissed, Suspended, Demoted, or Reassigned

24309. Any academic or nonacademic employee dismissed, suspended, or demoted for cause may request a hearing by the State Personnel Board by filing such a request, in writing, with the board within 20 days of being served with the notice. The request may be on the grounds that the required procedure was not followed; that there is no ground for dismissal, suspension, or demotion; that the penalty is excessive, unreasonable, or discriminatory; or that the employee did

not do the acts or omissions alleged as the events or transactions upon which the causes are based; or that the acts or omissions alleged as the events or transactions upon which the causes are based were justified.

The State Personnel Board shall hold a hearing, following the same procedure as in state civil service proceedings and shall render a decision affirming, modifying or revoking the action taken. In a hearing, the burden of proof sha'l be on the party taking the dismissal action.

(Amended by Stats. 1961, Ch. 1828.)

Restoration of Position and Payment of Back Salary on Revocation or Modification of Dismissal, Suspension, Demotion, or Reassignment

24310. If the dismissal, suspension, or demotion or the reassignment is revoked or modified by the State Personnel Board or the trustees, the employee shall be restored to his position in accord with the decision, and shall be paid back salary equal to that which the employee would have earned if continuously employed in accord with the decision.

(Amended by Stats. 1961, Ch. 1828.)

Absence Without Leave as Resignation; Reinstatement

24311. Absence without leave of an academic or nonacademic employee, whether voluntary or involuntary, for five consecutive working days is an automatic resignation from state service, as of the last date on which the employee worked.

An academic or nonacademic employee may within 90 days of the effective date of such separation file a written request with the State Personnel Board for reinstatement. If the appointing authority has notified the employee of his automatic resignation, any request for reinstatement must be in writing and filed within 15 days of the service of notice of separation. Notice may be personally served or it may be served by mail to the last known residence or business address of the addressee and is complete on mailing. Proof of service, either personal or by mail, shall be made by affidavit. Reinstatement may be granted only if the employee makes a satisfactory explanation to the board as to the cause of his absence and his failure to obtain leave therefor, and the board finds that he is ready, able, and willing to resume the discharge of the duties of his position, or, if not, that he has obtained the consent of his appointing power to a leave of absence to commence upon reinstatement.

An employee so reinstated shall not be paid salary for the period of his absence or separation or for any portion thereof.

(Amended by Stats. 1961, Ch. 1828.)

(Provisions of the California Administrative Code)

Temporary Suspension

43522. When there is strong and compelling evidence that the presence of an employee on his job might create serious problems, if such evidence were subsequently proven to be correct, a president or the Chancellor may temporarily suspend an employee pending investigation and/or the furnishing of formal notice of disciplinary action pursuant to Section 24308 of the Education Code. Unless earlier terminated by the president or the Chancellor, as the case may be, such temporary suspension shall automatically terminate upon the furnishing of formal notice of disciplinary action or, unless extended as provided by this section 30 days after its commencement, whichever first occurs.

The date for such automatic termination of the period of temporary suspension, where no furnishing of formal notice of disciplinary action has occurred, may be extended upon the written statement of the employee addressed to the president or the Chancellor, as the case may be, requesting such extension.

Suspension under this section shall not prejudice the case of the employee or any rights he may be provided under this article.

Dismissal

43524. Dismissal of academic employees with tenure shall be recommended by the president of the college to the trustees through the Chancellor. Dismissal of administrative employees and other disciplinary actions affecting academic and administrative employees shall be recommended by the president of the college to the Chancellor.

Use of Grievance Procedure in Disciplinary Actions

43525. Employees shall have the right and are encouraged to resolve their grievances regarding disciplinary actions through the use of internal grievance procedures.

When an employee has failed to resolve his grievance at the college level, he shall have the right of appeal to the Chancellor and the trustees.

Nothing in this article shall be interpreted to prejudice any rights of appeal established in the *Education Code*, Section 24309.

If a dismissal, suspension, or demotion is revoked or modified, the employee shall be restored to his position in accordance with the decisions, and shall be paid back salary equal to that which he would have earned if he had been continuously employed.

Disruption of Campus Activities

43526. Notwithstanding any provision in this Subchapter 6 to the contrary, any employee of the California State Colleges who, following appropriate procedures at the college, is found to have disrupted or to have attempted to disrupt, by force or violence, any part of the instructional program of a state college, or any meeting, recruiting interview or other activity authorized to be held or conducted at the college, may, in the discretion of the President, be disciplined pursuant to Section 24306 of the *Education Code*.

Appendix F

STATEMENT OF STUDENT RIGHTS[1]

(Senate: 1/23/68; President: 3/26/68)

Preamble

Academic institutions exist for the pursuit of knowledge. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for knowledge. Free inquiry, free expression, and the responsible exercise thereof, are essential to any community of scholars.

Each member of the academic community has both rights and responsibilities deriving from the standards of that community. By virtue of their basic purpose in joining the academic community, the primary right and responsibility of students is to exercise and to cherish the freedom to learn. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. The purpose of this statement is to enumerate some of the conditions conducive to the freedom of students to learn. Since one of the conditions which threatens student freedom to learn is the abuse of that freedom, students should exercise their rights with maturity and responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The College has a duty to develop policies and procedures which safeguard that freedom. In developing such policies and procedures, it is the overriding principle that the student is a citizen or resident of the United States, and all rights and privileges which accrue to him as such are not abridged by his membership in the academic community.

1. In The Classroom

The professor in the classroom and in conference should encourage free discussion, inquiry, and expression. Students shall be evaluated solely on the basis of their academic performance, not on their opinions or conduct in matters unrelated to academic performance.

a. Protection of Freedom of Expression. Students are responsible for learning thoroughly the content of any course of study, but they are free to take reasoned exception to the interpretation of data or opinions offered.

b. Protection Against Improper Academic Evaluation and Unethical Conduct by Faculty. Students are responsible for maintaining standards of academic performance established by their professors. The measurement of a student's performance is the prerogative of the professor. Students have the right to appeal against prejudiced or capricious academic evaluation by means of the procedures set forth in the Appendix.

c. Protection Against Non-Performance or Incompetent Performance of Duties by the Instructor. The student has the right to a substantial presentation by the instructor at the times scheduled except in mitigating circumstances. Repeated non-performance by the instructor, or repeated lack of preparation by the instructor resulting in incompetent performance, or repeated incompetent performance by the instructor, may be reported by the student through the procedures set forth in the Appendix.

d. Protection Against Improper Disclosure. Protection against improper disclosure of information regarding students is a professional obligation of faculty members and administrative staff which must be balanced with their other obliga-

[1] Parts of this document are excerpted from the Association of American Colleges "Statement of Desirable Provisions for Student Freedom to Learn," revised draft, November 7, 1966.

tions to the individual student, the institution, and society. Faculty and staff members are free to participate in such professional consultation with their colleagues as serves the welfare of the student. Further, after inquiring as to the nature of the requesting agency and the intended use of the information, they may properly provide information concerning a student's competence and fitness for a given task, including relevant judgements of character, to other persons who they are satisfied have legitimate grounds for seeking such information. But free inquiry and free expression,* which are vital to good education, may be jeopardized by disclosure of information about students' attitudes, beliefs, and political associations which may be acquired in the course of teaching, advising, and counseling students. Answering questions relating to the student's political, religious, moral, or social beliefs or opinions may constitute an infringement of the student's academic freedom.

2. *Student Records*

The policy of the institution should reflect a deliberate balance between its obligation to contribute to the growth and welfare of students and its other obligations to society. It must include a carefully considered policy as to the information which should be part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records will be kept separately. Transcripts of academic records will contain only information about academic status. However, disciplinary action taken against a student which affects his eligibility to re-register may be recorded when authorized by special action of the President or his designee. Information from disciplinary, counseling, or activities files except as provided in 3, b, (2) shall be available only to persons on campus who require such records in the normal course of performing their assigned duties.

Files shall not be available to any person or organization off campus except as authorized by the student concerned. The term "off-campus organizations" is intended to include investigative branches of local, state, or federal government.* Any records which reflect the political activities of students will be considered confidential. These records shall be released only under legal compulsion. The students should be aware that records may be subject to subpoena. Under such circumstances, although the College will make every effort to insure the student's legal rights, it cannot ignore such demands. The Dean of Students or his designee will periodically and routinely evaluate and destroy non-current disciplinary records. Administrative staff and faculty members shall respect confidential information about students which they acquire in the course of their work.

3. *Student Affairs*

a. Freedom of Access to Higher Education. The College will make clear the characteristics and academic performance of students which it considers relevant to success in the institution's program. The race, religion, or sex of a student is not relevant to admissions decisions. Within the limits of its facilities, the College is open to all students who are qualified according to its admission standards. College facilities and services are open to all students, and the institution shall use its influence to secure equal access for all students to public facilities in the local community.

b. Freedom of Association. Students bring to the campus a variety of interests previously acquired, and develop many new interests as members of the academic community. They shall be free to organize and join associations to promote their common interests.

(1) Affiliation with an extra-mural organization shall not disqualify a student organization from institutional recognition. At the same time, all actions of a student organization shall be determined by vote of only those persons given voting privileges in that organization and who also hold bona fide membership

* *Title 5, Education Code, Section 10751*, permits but does not require disclosure of information concerning students to officers or employees of federal, state, or local governments. See also Government Code, Sections 9405 and 9411 (Honoring a Legislative Subpoena).

in the College community. These College organizations may not represent themselves as expressing official policy or practice of the College.

(2) The institution requires student organizations to make every effort to secure a faculty adviser.* Each organization shall be free to choose its own faculty adviser. Institutional recognition will not be withheld or withdrawn solely because of the inability of a student organization, after conscientious effort, to secure an adviser. Members of the faculty perform an important educational role and serve the College community when they accept the responsibility to advise and consult with student organizations. They shall guide organizations in the exercise of responsibility, but they do not have the authority to control the policy of such organizations.

(3) Student organizations are required to submit a Constitution, a statement of purpose, a list of officers, a definition of membership, and rules of procedure to the Director of Student Activities. Student organizations are not required to submit a membership list as a condition of institutional recognition. The list of officers shall be destroyed when it is no longer in effect.

(4) Campus organizations, including those affiliated with an extra-mural organization, will be open to all students without respect to race, creed, religion, or national origin.

(5) Students and student organizations are free to examine and to discuss all questions of interest to them, and to express opinions publicly or privately. They are also free to support causes by any means which do not disrupt the regular and essential operation of the institution. At the same time, they must make clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

(6) Students are allowed to invite and to hear any person of their own choosing, providing the invitation is in consonance with the College Policy on Visiting Speakers. The institutional control of campus facilities will not be used as a device of censorship. Sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

c. Student Participation in Institutional Government. As constituents of the academic community, students shall be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body.† The role and character of student government shall be reviewed and modified only through prescribed procedures.

d. Student Publications and Broadcasting. Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large. They also represent the institution to the public. The Communications Code states College policies on these matters. Editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, where libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo are especially inappropriate.

4. Off-Campus Freedom of Students

a. Exercise of Rights of Citizenship. Students are citizens as well as members of the academic community. As citizens, students enjoy the same freedom of

* *Title 5, Education Code, Section 41503,* requires student organizations to submit a constitution, also, *Activities Commission Operating Code,* Article III, Section 1.

† The student body, and its official governing arm, the Associated Students, have a clearly defined role in expressing the wishes of the student body and in determining institutional policy (See ASCSCLA Minutes of 14 October, 1966, 4.11–4.13, and the *Faculty Constitution*). The Activities Commission Operation Code is the official student body policy statement governing student activities. It will be considered as the policy in effect in those areas not covered by College policy, or where it reinforces or interprets existing College policy. If a conflict exists between the two, official College policy supersedes.

speech, peaceful assembly and right of petition that other citizens enjoy; as members of the academic community, however, they are subject to the obligations which accrue to them by virtue of this membership. Students contemplating off-campus activities should be clear in their objectives, and they should be fully aware of the legal situation and of the possible consequences of their actions to themselves and to the College community. Institutional officials perform an important educational role in discussing these and other considerations with students prior to their participation in off-campus activities. At the same time, faculty members and administrative officials will insure that institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship both on- and off-campus.

b. *Institutional Authority and Civil Penalties.* Activities of students may upon occasion result in violation of law. In such cases, the Dean of Students, upon request, will apprise the student of the Legal Bar Association reference service and may offer other advice or assistance. Students who violate the law may incure penalties prescribed by civil authorities, but institutional authority will never be used merely to duplicate the function of general laws. The student who incidentally violates institutional regulations in the course of his off-campus activity, such as those relating to class attendance, will be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.

5. *Procedural Standards in Disciplinary Proceedings*

In developing responsible student conduct, disciplinary proceedings will play a role secondary to counseling, guidance, admonition, and example. At the same time, the College has a duty and the corollary disciplinary powers to protect its educational purpose by setting standards of conduct for students.

a. *Investigation of Student Conduct*

(1) Except as incident to arrest, or after obtaining a search warrant, institution-controlled premises occupied by students and the personal possessions of students will not be searched. The student shall be present, if at all possible, during the search. For premises not controlled by the institution, the ordinary requirements for lawful search will be followed.

(2) Students charged with violations of institutional regulations or arrested for infractions of ordinary law, should be informed of their rights under the student Discipline Subcommittee Procedures and/or under civil law. No form of harrassment will be used by any institutional representatives to coerce admissions of guilt or to obtain information about conduct of other suspected persons.

b. *Status of Student Pending Final Disciplinary Action.* Pending action on the charges, the status of a student shall not be altered, nor his right to be present on the campus and to attend classes suspended, except for reasons relating to his physical or emotional safety and well-being, or for reasons relating to the safety and well-being of other students, faculty, or College property.

Appendix

Student Grievances

The student who believes that his rights as set forth in this document have been abridged should make every effort to resolve the issue by consulting the faculty member or administrator concerned. If the issue cannot be satisfactorily resolved in this manner, he should consult the chairman of the appropriate department to seek a resolution of the difficulty. Failing here, he may appeal to the dean of the school concerned. (In the case of a faculty member or administrator not assigned to a school, consultation should be with appropriate administrative superiors of the individual against whom the complaint is made.)

If the student still believes that the problem has not been fairly resolved at these levels, he may submit a signed statement outlining his allegations to the Student

Grievance Committee.* The student shall be notified that this statement must indicate the grounds on which his allegations are based, that the burden of proof rests on him, and that if the matter proceeds to a hearing, the faculty member or administrator concerned shall receive a copy of the statement.

This statement shall be given preliminary consideration by the Student Grievance Committee. If it concludes that there may be grounds for the allegations and the matter is of sufficient weight to justify further investigation, the Student Grievance Committee shall arrange a hearing. Both parties to the dispute shall be notified promptly. The faculty member shall receive a copy of the statement made by the student outlining his allegations. The hearing shall be closed, although either party to the dispute may bring witnesses or be represented by counsel with prior notification to the Student Grievance Committee and the other party. At its discretion the Student Grievance Committee may hear each party separately unless one or the other party requests a confrontation. The Student Grievance Committee shall determine whether there are grounds to refer the matter to the appropriate faculty body or administrator. Both parties shall be notified concerning these findings. Allegations which, in the opinion of the Student Grievance Committee, consist merely of a disagreement with the grade or other rating given by a faculty member shall be rejecetd by the Student Grievance Committee.

If the Student Grievance Committee determines that there are grounds for further consideration of the allegation, it shall refer the matter to: (a) The Committee on Academic Freedom and Professional Ethics if the issue involves alleged violation of academic freedom or professional ethics; (b) The Faculty Affairs Committee (Personnel Policy Committee) of the school concerned if the issue involves alleged non-performance or incompetent performance by an instructor; (c) the Dean of the School in all other cases.

If the grievance is based upon alleged improper academic evaluation, the student bears the burden of proof to demonstrate to the Student Grievance Committee that said evaluation has clearly been prejudiced or capricious. In cases referred to the school, if the appropriate faculty committee of the school as determined by that school finds that evaluation of the student has been prejudiced or capricious, that committee of the school may recommend to the dean the means for achieving appropriate redress for the student. The results of such action may include a recommendation for a grade change. Such a grade change shall be so identified on the permanent record card. Under no circumstances shall a change of grade be made by an administrator without a committee recommendation. Such a recommendation shall be the result of peer group action.

* The Student Grievance Committee shall consist of one faculty member, one student, and a member of the faculty or administration to be appointed by the President. The faculty member shall be selected by the College Committee on Committees to serve a three-year term. The student shall be selected by the BOD of the Associated Students for a period of time to be determined by that body. The Presidential appointee shall serve at the pleasure of the President. The Student Grievance Committee will elect its own chairman.

Appendix G

STUDENT DISCIPLINARY PROCEDURES OF THE CALIFORNIA STATE COLLEGES

(Chancellor's Executive Order No. 109: 8/14/70)

This Executive Order is issued pursuant to Section 41304 of Title 5 of the *California Administrative Code.*

1. Except as provided in this Executive Order, the Student Disciplinary Procedures for the California State Colleges is established for the California State Colleges, and shall govern disciplinary procedures with respect to students according to its terms. A copy of these procedures is attached to this Executive Order as *Attachment A.*

2. These procedures supersede other procedures previously in force in the California State Colleges, as to all future matters and all pending matters in which hearings have not yet been held.

3. Hearing officers will be designated by the Chancellor for each State College, as provided in Section 9-a of these procedures. Until further notice, hearing officers appointed by the Presiding Officer of the Office of Administrative Procedure (Government Code Sections 11370–11370.4) are hereby designated as Hearing Officers under these procedures. Arrangements have been made whereby such Hearing Officers will be assigned upon request of the President to the Presiding Officer, at his office in Sacramento.

4. These procedures should be read with the memorandum of the General Counsel, which is attached to this Executive Order as Attachment B.

Attachment A

1. Purpose and Scope

a. It is the purpose of this document to provide procedures which are fair and just, to both the student charged and to the institution, by which it can be determined whether violations of conduct and conduct-related regulations have occurred.

b. These procedures are established pursuant to Section 41304, Title 5, California Administrative Code.* They govern determinations under Sections 41301, 41302 and 41303 of that Code, and other state and federal laws which require college hearings.

2. Authority of the President

a. The President shall exercise his authority in disciplinary actions pursuant to Sections 41301, 41302 and 41303 of Title 5, California Administrative Code, these procedures, and other laws and regulations as applicable.

b. All determinations and findings made at the college level by anyone other than the President, including determinations and findings of the Hearing Officer (see Section 9), are in the nature of recommendations to the President, who shall have final campus authority. Decisions of the President are subject to review by the Chancellor or his designee, and by the Board of Trustees. The designation of Hearing Officers (see Section 9-a) and decisions on challenges of any Hearing Officer for cause (see Section 10-e) shall be made by the Chancellor or his designee.

c. The functions of the President as described in the following sections of these procedures, may be delegated by him to individual designees who are members of the staff of the College, and who shall exercise those functions in his name.

* Specific code sections referred to in these Procedures are set out in Appendix.

All references in these procedures to the President include such designees. The President shall be responsible for any action taken under his authority.

3. Immediate Suspension

a. The President may order the immediate suspension of any student for the interim period pending a hearing whenever he determines such action to be required in order to protect lives or property and to insure the maintenance of order. The student so suspended shall be afforded an opportunity for a hearing with respect to the immediate suspension. The hearing on the immediate suspension will normally be afforded within two working days** of the suspension but in any event, not later than ten days of the suspension. The hearing shall be held pursuant to the provisions of Section 6-a of these procedures. The issues shall be whether his continued suspension pending such disciplinary hearing is required in order to protect lives or property and to insure the maintenance of order, and on any issues presented by a request for hearing pursuant to Penal Code Section 626.4(c).

b. Immediate suspension will be coupled with a withdrawal of consent to remain on campus, pursuant to Penal Code Section 626.4, whenever it is determined, pursuant to that section, that there is reasonable cause to believe that the person has willfully disrupted the orderly operation of the campus or college facility, and that his presence will constitute a substantial and material threat to such orderly operation.

4. When Hearings Are to be Held; Waivers

a. Action under these procedures shall go forward regardless of possible or pending other administrative, civil or criminal proceedings arising out of the same or other events.

b. The President shall cause campus action to be initiated on the basis of the criminal conviction of a student whenever applicable statutes or regulations require it.

c. Hearings shall be held whenever the President accepts the Coordinator's recommendation to that effect, or does not accept a contrary recommendation from him, and whenever required by statute, action by the Board of Trustees, or the Chancellor. The President shall decide the kind of hearing to be held, as authorized in Section 5.

d. In any case in which a student is entitled to a hearing, the student may instead waive a hearing and accept a sanction with respect to discipline and decision with respect to eligibility for or termination of financial aid, as recommended by the Coordinator and approved by the President. The student may accept the sanction and financial aid decision without admitting that he engaged in the conduct charged. Should the student not accept the sanction and financial aid decision, the matter shall proceed to hearing, and no cognizance shall be taken of the recommendation made pursuant to Section 4-d.

5. Alternative Kinds of Hearings

a. Based on recommendations of the Coordinator (see Section 8) and such other considerations as may be pertinent, the President shall decide whether a disciplinary matter should be conducted:

(1) By an administrative officer of the college ,as provided in Section 6.

(2) By the Hearing Officer, as otherwise provided in these procedures.

(3) By a residence hall committee, in the case of charges of conduct violations in residence hall facilities where the infraction charged, as determined by the Coordinator, does not involve a possible sanction of suspension or expulsion.

b. In making his determination, the President may consider the expressed wishes of the student charged, the degree of apparent complexity of the facts or issues,

** "Working day" is defined in Section 13-e.

and the seriousness of the offense. Ordinarily, the desire of the student charged for a hearing by an administrative officer, the apparent absence of complicated facts or issues, and the relative lack of seriousness of the offense, are factors in favor of a hearing by an administrative officer.

6. Office Hearings by an Administrative Officer; Hearings Under Section 5-a(3)

a. Office hearings by an administrative officer shall be informal, and subject to such procedure as the President may determine; provided that a student whose case is considered in this way shall: receive notice of misconduct charged in terms of a general description of the conduct and the provisions he is charged with having violated; be informed of any evidence to be considered against him and have an opportunity to challenge and rebut it, and to present evidence on his own behalf; be informed of the decision of the President and of the administrative officer's recommendation to the President. Such hearings shall be closed to all persons other than the students and the Coordinator, a single adviser for each of them, and witnesses while they are presenting evidence.

b. Hearings under Section 5-a(3) shall be subject to such procedures as the President shall determine, but shall afford the student charged with at least the provisions enumerated in Section 6-a.

7. *Notices*

a. The Coordinator shall prepare and mail notices as appropriate to the student charged. Notices addressed to him at the last address posted on the records of the Registrar of the College, and deposited in the United States mail, postage prepaid, shall be presumed to have been received and read by the student charged.

b. The Coordinator shall initiate hearing procedures against a student charged, by mailing or personally delivering a notice letter to him, by registered or certified mail, return receipt requested, which notice:

(1) Contains a statement of the charges against him, in terms of Sections 41301 and 41302 of Title 5, California Administrative Code, Section 22505 of the Education Code if that Section is applicable, and applicable financial aid eligibility termination provisions, if any, and a factual description stated with reasonable particularity, of the conduct upon which the charges are based.

(2) Notifies him of the time and place of hearing.

(3) Refers to or encloses a copy of these procedures.

(4) Notifies him that he may be accompanied at the hearing by an adviser of his choice, who may act on his behalf, and who may be an attorney, and of the time within which he must inform the Coordinator of the name and address of his advisor if he is an attorney.

(5) Includes such information as an immediate suspension and withdrawal of consent to remain on campus where such action has been decided upon; a request for the student's preference as to the kind of hearing to be conducted (Section 5), and any determination reached pursuant to Section 4-d with respect to possible sanctions and financial aid eligibility termination pursuant to Section 12-c, and such other information as the Coordinator may wish to include.

8. Coordinator

a. The President shall assign a member of the College staff the general charge of the administration of these procedures, the duties described in these procedures; and such other duties as the President may determine. The person so assigned shall serve in this assignment at the pleasure of the President.

b. The person so assigned may use such local, administrative title as the President may determine. For convenience, he is referred to herein as "Coordinator."

c. All references in these procedures to the Coordinator shall include any other persons who are authorized by the President to assist the Coordinator and act in his name.

d. The Coordinator shall investigate all alleged violations of Sections 41301 and 41302, Title 5, California Administrative Code, Section 22505 of the Education Code and related matters concerning withdrawal of consent to remain on campus and of eligibility for and termination of financial aid.

e. As a result of his investigation, the Coordinator shall make a recommendation to the President as to whether the matter should proceed, and of the kind of hearing, authorized in Section 5, which should be held.

f. The Coordinator shall send such notices as are appropriate, and institute hearings pursuant to these procedures.

g. The Coordinator shall make physical and scheduling arrangements for the hearing of cases.

h. Except where other provision is made by the College with respect to hearings by an administrative officer (Section 5-a(1)) and to residence hall matters (Section 5-a(3)), the Coordinator shall attend the hearings and shall marshal and present the evidence against the student charged.

9. Hearing Officer

a. The Chancellor shall designate one or more Hearing Officers, who shall serve for terms as determined by the Chancellor.

b. Hearing Officers shall be attorneys, admitted to practice law in California who are qualified by professional experience in presiding at judicial or quasi-judicial adversary proceedings, or who have been members of the California State Bar for at least five years. They will not hold any employment, or other contract (other than as a hearing officer) with any State College during the period of their service.

10. General Provisions Relating to Hearings by Hearing Officers

a. *Evidence.* Evidence shall be admitted if it is relevant and is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. Formal rules of evidence shall not apply, but the rules of privilege shall be effective to the extent that there are statutory bases for their application. Irrevelant and unduly repetitious evidence shall be excluded. No evidence other than that received at the hearing shall be considered by the Hearing Officer.

b. Both the student charged or his adviser and the Coordinator or his adviser shall be entitled to present relevant evidence and to question witnesses presented by the other. The President shall request students and employees of the State College to present evidence at a hearing when requested on behalf of the student or the Coordinator.

c. The student will not be required to give self-incriminating evidence, and no inference of his guilt shall be drawn by reason of his not giving evidence on this ground.

d. *The Hearing Officer shall:*

(1) Make all rulings on matters relating to the conduct of the hearing, including matters regarding admission of evidence.

(2) Maintain an orderly hearing and permit no person to be subjected to abusive treatment. He may eject or exclude anyone who refuses to be orderly.

(3) Recognize the student charged or his adviser, and the Coordinator or his adviser, for the purpose of questioning witnesses or presenting argument, evidence or requests to the Hearing Officer. The Hearing Officer may also question witnesses.

(4) Make such rulings regarding the conduct of the hearing as he deems appropriate, not inconsistent with these procedures.

e. *A student charged may challenge the Hearing Officer for cause by submitting a written statement setting forth facts which establish that:*

(1) The Hearing Officer was a participant in the event out of which the action arose except events connected with the conduct of a hearing; or

(2) The Hearing Officer is related to or has had past association with the student charged or his adviser, the Coordinator or his adviser, or another person who has been adversely affected by the events giving rise to the action, which past association is of a kind which would prejudice his judgment to the degree that it appears that a fair hearing could not be had. "Past association" does not include an association acquired in connection with a previous hearing.

The Chancellor or his designee shall determine whether the facts present grounds for disqualification and his decision shall be final. The Hearing Officer may disqualify himself on his own motion. No peremptory challenges may be made.

f. *Following presentation of evidence, the Hearing Officer shall privately consider the evidence with all other persons excluded and shall prepare a written report to the President. The report, which shall ordinarily be submitted to the President within two business days of the termination of the Hearing, shall contain as to each student charged:*

(1) A summary of the facts as found by the Hearing Officer, and a determination that the student did or did not commit the acts charged.

(2) A finding that the act did or did not constitute one of the causes for discipline listed in Sections 41301 or 41302 of Title 5 of the California Administrative Code.

(3) Findings as appropriate with respect to eligibility for and termination of financial aid.

(4) A recommendation of discipline, if any.

(5) Such further report as the Hearing Officer may consider appropriate.

g. The student charged shall be regarded as innocent of the charges against him until the contrary is established by a preponderance of the evidence. The Hearing Officer shall find a student to have committed the acts as to which he is charged when the Hearing Officer is persuaded by a preponderance of the evidence that the student committed said acts.

h. The Hearing Officer shall make his report only to the President of the College.

i. *Advisers; attorneys*

(1) The student charged may be accompanied by one adviser of his choice, who may act on his behalf. If he desires that his adviser be an attorney, the student charged must give written notice of the name and office address of the attorney to the Coordinator at least three working days before the time set for commencement of the hearing; if there are less than four working days between that time and the date of the notice of hearing, then the notice that his adviser will be an attorney must be given at the earliest reasonable time. Otherwise his attorney will not be admitted to the hearing.

(2) Should a student charged advise that he will be accompanied by an attorney, the Coordinator shall immediately advise the Office of General Counsel, so that an attorney may be present with the Coordinator to present the case.

j. *Times Within Which Hearings Are to Proceed*

(1) Matters preliminary to hearings shall be decided, hearings conducted, and cases determined under these procedures as quickly as possible, consistent with reasonable notice.

(2) Normally, matters preliminary to hearings shall be decided and notices of hearings given, within three working days of the time the Coordinator is informed that a probable conduct violation or other basis for a hearing has occurred, and of the identity of the person or persons apparently responsible.

(3) Hearings will normally be held within seven working days of the date notice is sent to the student charged.

(4) Other than as required for the convenience of the Hearing Officer, extensions of time for hearings shall be authorized only for good and compelling reasons. The possibility or pendency of other administrative, civil or criminal proceedings against the student charged is not such a reason unless the trial or hearing in that matter is scheduled for the same day as the College hearing, or unless it is physically impossible for the student charged to attend the College hearing.

k. Hearings shall be closed to everyone other than the person conducting the hearing, the student charged and the Coordinator, a single adviser for each of them, the person designated to record the hearing pursuant to Section 10-m, and witnesses while they are presenting evidence.

l. It is the policy of the California State Colleges that evidence, proceedings, findings and recommendations (but not the final decision of the President) are confidential and shall not be made public by the College or by any participant in a hearing, including the student charged. In the event these matters should become public, however, the College may authorize such public statements as are appropriate and which do not violate any legal prohibition against such statements.

m. A tape recording but not a transcription, will be kept of the hearing. The student charged, on request, and at his own expense, subsequently may have or, under supervision, make a copy of such recording provided that use of such a copy will be limited to subsequent administrative and judicial proceedings held in connection with the matter. No tape recording by the student charged by other persons at the hearing will be permitted, but the student charged, at his own expense, may furnish a certified court reporter provided that a copy of the transcript made is promptly furnished to the President at no cost to the college, and that use of such transcript will be limited to subsequent administrative and judicial proceedings held in connection with the matter.

n. *Consolidated Hearings*

(1) Where more than one student is charged with conduct arising out of a single occurrence, or out of connected multiple occurrences, a single hearing may be held for all of the students so charged. Such students may request that their case be consolidated with others, or separated from others. The Coordinator shall make determinations regarding consolidation. All such determinations shall be subject to revision by the Hearing Officer. In the event of such revision, all cases affected shall be rescheduled for hearing.

(2) The separation of one or more cases from a group of cases previously set for a consolidated hearing shall not be considered to affect the remaining cases in the group.

o. *Absence of the Student Charged*

If the student charged does not appear, (personally or through his adviser) without satisfactory explanation for his absence having been made at his earliest opportunity, or should he leave the hearing before its conclusion, or adjournment, the hearing shall proceed without him, and the Hearing Officer shall render a decision based on the available evidence and make his report just as though the student charged has been present throughout the hearing. The fact that an administrative hearing or a civil or criminal trial for the student is pending shall not be considered a satisfactory explanation unless the actual hearing or trial date conflicts with the college hearing date, or unless it is physically impossible for the student charged to attend the college hearing.

11. Presidential Action

a. The President may establish a procedure whereby a committee of students, or students together with faculty or with faculty and administrative personnel, will review the recommendations of the Hearing Officer with respect to the discipline to be imposed, if any, and advise the President. Such committees, if established, shall be composed in such manner as the college may determine. It shall not receive new evidence or argument, or conduct hearings, and its members shall be bound

by the policy of confidentiality as stated in Section 10-*l*. If such a committee is established, the President shall forward a copy of the report of the Hearing Officer to the committee as soon as it is received, and the committee shall present its recommendations, if any, to the President within two working days of its receipt of the report.

b. The President shall review the report of the Hearing Officer, and recommendations if any, of any committee established pursuant to Section 11-a. He may take the action recommended by the Hearing Officer; he may adopt a lesser sanction; he may, if necessary, refer the matter back to the Hearing Officer for further findings on specified issues; or, after a review of the record, he may adopt a more severe sanction. In cases where a committee has not been established pursuant to Section 11-a, the President normally shall render his decision within three working days of receipt of the recommendations of the Hearing Officer. In cases where such a committee has been established, the President normally shall render his decision within three working days of receipt of the recommendations of the committee, and no later than six working days after initial receipt of the report of the Hearing Officer.

c. The President shall cause notification of his action to be sent to the student charged. If the action taken is suspension or expulsion with denial of access to the campus and college facilities, notification shall be by certified or registered mail. The report of the Hearing Officer, and the recommendations of any committee established pursuant to Section 11-b, shall be made available to the student.

d. If the action taken is suspension or expulsion, and the student charged is a minor, his parent or guardian shall be notified of the action by certified or registered mail, return receipt requested, sent to the parent or guardian's last address posted on the records of the Registrar.

12. Discipline Which May be Imposed; Eligibility for and Termination of Financial Aid

a. Students may be expelled, suspended, placed on probation, or given a lesser sanction, as provided in Section 41301 of Title 5, California Administrative Code.

b. Students who are expelled or suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of a State College, may be denied access to all or any part of the campus or other facility:

(1) In the case of expulsion, for up to one year.

(2) In the case of suspension, for a period up to the period of the suspension.

c. Determination on Eligibility for and Termination of Financial Aid.

Concurrently with actions under these Procedures, the person conducting the hearing shall also determine whether the particular conduct found to have occurred is a basis for ineligibility for or termination of financial aid under applicable provisions of state or federal law, and of the Board of Trustees.

Financial aid shall be terminated or eligibility denied by the President whenever required by any of these provisions.

(1) Hearings by a hearing board on questions of financial aid termination shall be held where required by *Education Code* Section 31292.

13. Other Provisions

a. A student enrolled at a State College who is accused of conduct subject to disciplinary action at another State College, shall be subject to disciplinary action at the campus with respect to which the violation is alleged to have occurred, and all references to the President, the Coordinator, and the Hearing Officer shall refer to those persons at that campus; provided that the President of the college at which the student is enrolled shall make the final decision with respect to discipline.

b. Hearings on qualifications for admission or denial or admission pursuant to Section 41303 of Title 5, *California Administrative Code*, shall be conducted pursuant to Sections 6 or 10 of these Procedures, as the President shall determine.

c. The President may combine the duties of Coordinator with those of any other officer or employee, but may not combine such duties with those of the administrative officer assigned to conduct an office hearing pursuant to Section 6 of these procedures, or with those of the Hearing Officer.

d. Arguments by the student charged or his adviser concerning the legal (as distinguished from factual) applicability, or legal validity of any provision on the basis of which the student is charged, or of these procedures, shall not be addressed to the person hearing the case, but to the President, as soon as the hearing has concluded. The President will seek advice on the matter from the Office of General Counsel. The advice will be reported to the President and will be considered by him before a final decision is rendered.

e. As used in these procedures, "working day" shall mean any day other than a Saturday, Sunday or holiday as defined in *Government Code* Section 18025. Technical departures from these procedures and errors in their application shall not be grounds to withhold disciplinary action or a determination of ineligibility for or termination of financial aid unless, in the opinion of the President, the technical departures or errors were such as to have prevented a fair and just determination of the issues.

APPENDIX

Title 5, California Administrative Code Sections

41301. *Expulsion, Suspension and Probation of Students.* Following procedures consonant with due process established for the State College of which he is a student, any student of a state college may be expelled, suspended, placed on probation or given a lesser sanction for one or more of the following causes which must be State College related:

(a) Cheating or plagiarism in connection with an academic program at a State College.

(b) Forgery, alteration or misuse of State College documents, records, or identification or knowingly furnishing false information to a State College.

(c) Misrepresentation of oneself or of an organization to be an agent of a State College.

(d) Obstruction or disruption, on or off college property, of the State College educational process, administrative process, or other college function.

(e) Physical abuse on or off college property of the person or property of any member of the college community or of members of his family or the threat of such physical abuse.

(f) Theft of, or non-accidental damage to, State College property, or property in the possession of, or owned by, a member of the college community.

(g) Unauthorized entry into, unauthorized use of, or misuse of State College property.

(h) On State College property, the sale or knowing possession of dangerous drugs, restricted dangerous drugs, or narcotics as those terms are used in California statutes, except when lawfully prescribed pursuant to medical or dental care, or when lawfully permitted for the purpose of research, instruction or analysis.

(i) Knowing possession or use of explosives, dangerous chemicals or deadly weapons on State College property or at a State college function without prior authorization of the State College President.

(j) Engaging in lewd, indecent, or obscene behavior on State College property or at a state college function.

(k) Abusive behavior directed toward a member of the college community.

(l) Violation of any order of a State College President, notice of which had been given prior to such violation and during the academic term in which the violation occurs, either by publication in the campus newspaper, or by posting on an official bulletin board designated for this purpose, and which order is not inconsistent with any of the other provisions of this section.

(m) Soliciting or assisting another to do any act which would subject a student to expulsion, suspension or probation pursuant to this section.

(n) For purposes of this article, the following terms are defined:

(1) The term "member of the college community" is defined as meaning State College Trustees, academic, non-academic and administrative personnel, students, and other persons while such other persons are on State College property or at a State College function.

(2) The term "State College property" includes:

(A) real or personal property in the possession of, or under the control of, the Board of Trustees of the California State Colleges, and

(B) all State College feeding, retail, or residence facilities whether operated by a college or by a State College auxiliary organization.

(3) The term "deadly weapons" includes any instrument or weapon of the kind commonly known as a blackjack, slung shot, billy, sandclub, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club.

(4) The term "behavior" includes conduct and expression.

(o) This section is not adopted pursuant to Education Code Section 23604.1.

(p) The provisions of this section as hereinabove set forth shall only apply to acts and omissions occurring subsequent to its effective date. Notwithstanding any amendment or repeal pursuant to the resolution by which any provision of this article is amended, all acts and omissions occurring prior to that effective date shall be subject to the provisions of this article as in effect immediately prior to such effective date.

41302. *Expulsion, Suspension or Probation of Students; Fees and Notification.* The President of the State College may place on probation, suspend, or expel a student for one or more of the causes enumerated in Section 41301. No fees or tuition paid by or for such student for the semester, quarter, or summer session in which he is suspended or expelled shall be refunded. If the student is readmitted before the close of the semester, quarter, or summer session in which he is suspended, no additional tuition or fees shall be required of the student on account of his suspension. In the event that a student who has not reached his twenty-first birthday is suspended or expelled, the President shall immediately notify his parent or guardian of the action by registered mail to the last known address, return receipt requested.

During periods of campus emergency, as determined by the President of the individual campus, the President may, after consultation with the Chancellor, place into immediate effect any emergency regulations, procedures, and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property, and maintain educational activities.

The President may immediately impose an interim suspension in all cases in which there is reasonable cause to believe that during a campus disturbance a student has interfered with the peaceful conduct of the campus by an act which is a cause for disciplinary action pursuant to Section 41301 and that, unless placed on interim suspension, such student would commit further acts of the same or a similar character. A student so placed on interim suspension shall be given prompt notice of charges and the opportunity for a hearing within not to exceed one week of the imposition of interim suspension. During the period of interim suspension, the student shall not, without prior written permission of the President or his designated representative, enter any campus of the California State Colleges other than to attend the hearing. Violation of any condition of interim suspension shall be grounds for expulsion.

41303. *Conduct by Applicants for Admission.* Notwithstanding any provision in this Chapter 1 to the contrary, admission or readmission may be qualified or denied to any person who, while not enrolled as a student, commits acts which,

were he enrolled as a student, would be the basis for disciplinary proceedings pursuant to Section 41301 or 41302. Qualified admission or denial of admission in such cases shall be determined under procedures adopted pursuant to Section 41304.

41304. *Student Disciplinary Procedures for the California State Colleges.* The Chancellor shall prescribe, and may from time to time revise, a code of student disciplinary procedures for the California State Colleges. Subject to other applicable law, this code shall provide for determinations of fact and sanctions to be applied for conduct which is a ground of discipline under Section 41301 or 41302, and for qualified admission or denial of admission under Section 41303; the authority of the State College President in such matters; conduct related determinations on financial aid eligibility and termination; alternative kinds of proceedings, including proceedings conducted by a Hearing Officer; time limitations; notces; conduct of hearings, including provisions governing evidence, a record, and review; and such other related matters as may be appropriate. The Chancellor shall report to the Board his actions taken under this section.

Education Code Section

22505. *Disciplinary Actions; Hearing; Immediate Suspension.* The chief administrative officer of a junior college, state college, or state university, after a prompt hearing of the facts, shall take appropriate disciplinary action against any student, member of the faculty, member of the support staff, or member of the administration of the junior college, state college or state university who has been convicted of a crime arising out of a campus disturbance or, after a hearing by a campus body, has been found to have willfully disrupted the orderly operation of the campus. Nothing in this section shall be construed to prohibit, where an immediate suspension is required in order to protect lives or property and to insure the maintenance of order, interim suspension pending a hearing; provided that a reasonable opportunity be afforded the suspended person for a hearing within 10 days. The disciplinary action may include, but need not be limited to, suspension, dismissal, or expulsion. The provisions of Sections 24308 to 24310, inclusive, shall be applicable to any State College employee dismissed pursuant to this section. The chief administrative officer of each such institution shall submit periodic reports as to the nature and disposition of cases acted upon pursuant to this section to his governing board.

Education Code, Division 22, Chapter 4, Consisting of Sections

31291. *Financial Aid Agreement; Ineligibility for State Financial Aid; Hearing Board.* In accepting a scholarship, loan, fellowship, grant-in-aid, or any other financial aid given or guaranteed by the state for assistance, every recipient thereof who is a student at a public or private university, college, or other institution of higher education, shall be deemed to have agreed to observe the rules and regulations promulgated by the governing authority of the university, college, or other institution of higher education, for the governing thereof.

Any recipient of such state financial aid who, on the campus of the university, college, or other institution of higher education, willfully and knowingly commits any act likely to disrupt the peaceful conduct of the activities of such campus, and is arrested and convicted of a public offense arising from such act, may be determined to be ineligible for any such state financial aid for a period not to exceed the ensuing two academic years.

Any recipient of such state financial aid who, after a hearing, is found to have willfully and knowingly disrupted the orderly operation of the campus, but has not been arrested and convicted, may be determined to be ineligible for any state financial aid for such period as the hearing board may determine, not to exceed the ensuing two academic years.

Any such recipient who is suspended from an institution of higher education for such acts shall be ineligible for such state financial aid for a period not less than the time of such suspension.

The governing authority of the university, college, or other institution of higher education shall for purposes of this Section, cause to be reviewed the record of each recipient and shall, as soon as practicable, notify a hearing board established by it of the name of any recipient who committed any such act and was arrested and convicted of any such public offense, or is found to have willfully and knowingly disrupted the orderly operation of the campus, or has been suspended from an institution of higher education for such acts.

31292. *Notice of Report to Hearing Board; Hearing; Determination of Suspension of Financial Aid; Notification of Determination.* Upon receipt of notice, as provided in Section 31291, that any recipient has committed any act likely to disrupt the peaceful conduct of the activities of the campus and was convicted of a public offense in connection therewith, or is found to have willfully and knowingly disrupted the orderly operation of the campus, or has been suspended from an institution of higher education for such acts, the hearing board shall immediately give the recipient written notice of the report. The notice shall inform the recipient of the pendency of the proceedings for the suspension of assistance. It shall inform the recipient that he may present evidence of mitigating circumstances to the hearing board within 14 calendar days of the date of the mailing of the notice, and shall specify the procedures and means by which such evidence is to be presented, including the date at which any hearing to be afforded him is to be held. The hearing board may prescribe any procedures and means for such purposes which it may deem appropriate, provided that any hearing which may be afforded the recipient shall not be held sooner than seven days after the date of the mailing of the notice.

If no response to the hearing board's notice is made within the period specified in this section, the hearing board may suspend further assistance to the recipient and the suspension shall remain in effect not to exceed the ensuing two academic years.

After the conclusion of proceedings provided for in this section, the hearing board shall, by majority vote, determine whether further assistance to the recipient shall be suspended. If the recipient was arrested and convicted of a public offense arising from campus disruption, the suspension may remain in effect for a period not to exceed the ensuing two academic years. If the recipient is found by the hearing board to have willfully and knowingly disputed the orderly operation of the campus, but has not been arrested and convicted, the hearing board may suspend further assistance to the recipient for such period as the hearing board may determine not to exceed the ensuing two academic years. If the recipient was suspended from an institution of higher education for such acts, the hearing board shall suspend further assistance to the recipient for a period not less than the time of such suspension. The findings of the hearing board shall be in writing.

The hearing board shall notify the appropriate state agencies of any suspension of state financial aid pursuant to this section, and no state financial aid shall be extended to the recipient during such period.

Any notice required to be made by this section shall be sufficient when it is deposited in the United States registered or certified mail, postage paid, addressed to the last known address of the addressee.

31293. *Scope of Chapter.* Nothing in this chapter shall be construed to prohibit any public or private university, college, or other institution of higher education from suspending or refusing to grant scholarships, loans, fellowships, grants-in-aid, or any other financial aid given or guaranteed by the state for academic assistance to any individual because of any other misconduct which in its judgment bears adversely on his fitness for such assistance.

31294. *State Financial Aid Defined.* For the purposes of this chapter, "state financial aid" means any assistance given or guaranteed by the state which is predicated on attendance at an institution of higher education.

Penal Code Sections

626. *Definitions.*

(a) As used in this chapter:

(1) "State university" means the University of California, and includes any affiliated institution thereof and any campus or facility owned, operated, or controlled by the Regents of the University of California.

(2) "State college" means any California state college, and includes any campus or facility owned, operated, or controlled by the Trustees of the California State Colleges.

(3) "Junior college" means any school established pursuant to Chapter 3 (commencing with Section 25500) of Division 18.5 of the Education Code.

(4) "Chief administrative officer" means the President of a State College, Chancellor of the California State Colleges, or the officer designated by the Regents of the University of California or pursuant to authority granted by the Regents of the University of California to administer and be the officer in charge of a campus or other facility owned, operated, or controlled by the Regents of the University of California, or the superintendent of a junior college district or a school district maintaining a junior college.

(b) For the purpose of determining the penalty to be imposed pursuant to this chapter, the court may consider a written report from the Bureau of Criminal Identification and Investigation containing information from its records showing prior convictions; and the communication is prima facie evidence of such convictions, if the defendant admits them, regardless of whether or not the complaint commencing the proceedings has alleged prior convictions.

626.2. *Entry Upon Campus or Facility of State College or University After Written Notice of Suspension or Dismissal Without Permission; Punishment.* Every student or employee who, after a hearing, has been suspended or dismissed from a junior college, state college, or state university for disrupting the orderly operation of the campus or facility of such institution, and as a condition of such suspension or dismissal has been denied access to the campus or facility, or both, of the institution for the period of the suspension or in the case of dismissal for a period not to exceed one year; who has been served by registered or certified mail, at the last address given by such person, with a written notice of such suspension or dismissal and condition; and who willfully and knowingly enters upon the campus or facility of the institution to which he has been denied access, without the express written permission of the chief administrative officer of the campus or facility, is guilty of a misdemeanor and shall be punished as follows:

(1) Upon a first conviction, by a fine of not exceeding five hundred dollars ($500), by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

(2) If the defendant has been previously convicted once of a violation of any offense defined in this chapter or Section 415.5 by imprisonment in the county jail for a period of not less than 10 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 10 days.

(3) If the defendant has been previously convicted two or more times of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 90 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 90 days.

Knowledge shall be presumed if notice has been given as prescribed in this section. The presumption established by this section is a presumption affecting the burden of proof.

626.4. *Notice of Withdrawal of Consent; Report; Action on Report; Reinstatement of Consent; Hearing; Unlawful Entry Upon Campus or Facility; Punishment.*

(a) The chief administrative officer of a campus or other facility of a junior college, state college, or state university, or an officer or employee designated by him to maintain order on such campus or facility, may notify a person that consent to remain on the campus or other facility under the control of the chief administrative officer has been withdrawn whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.

(b) Whenever consent is withdrawn by any authorized officer or employee other than the chief administrative officer, such officer or employee shall as soon as is reasonably possible submit a written report to the chief administrative officer. Such report shall contain all of the following:

(1) The description of the person from whom consent was withdrawn, including, if available, the person's name, address, and phone number.

(2) A statement of the facts giving rise to the withdrawal of consent.

If the chief administrative officer or, in his absence, a person designated by him for this purpose, upon reviewing the report, finds that there was reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus or facility, he may enter written confirmation upon the report of the action taken by the officer or employee. If the chief administrative officer or, in his absence, the person designated by him, does not confirm the action of the officer or employee within 24 hours after the time that consent was withdrawn, the action of the officer or employee shall be deemed void and of no force or effect, except that any arrest made during such period shall not for this reason be deemed not to have been made for probable cause.

(c) Consent shall be reinstated by the chief administrative officer whenever he has reason to believe that the presence of the person from whom consent was withdrawn will not constitute a substantial and material threat to the orderly operation of the campus or facility. In no case shall consent be withdrawn for longer than 14 days from the date upon which consent was initially withdrawn. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. Such written request shall state the address to which notice of hearing is to be sent. The chief administrative officer shall grant such a hearing not later than seven days from the date of receipt of such request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.

(d) Any person who has been notified by the chief administrative officer of a campus or other facility of a junior college, state college, or state university, or by an officer or employee designated by the chief administrative officer to maintain order on such campus or facility, that consent to remain on the campus or facility has been withdrawn pursuant to subdivision (a), who has not had such consent reinstated, and who willfully and knowingly enters or remains upon such campus or facility during the period for which consent has been withdrawn is guilty of a misdemeanor. This subdivision does not apply to any person who enters or remains on such campus or facility for the sole purpose of applying to the chief administrative officer for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.

(e) This section shall not affect the power of the duly constituted authorities of a junior college, state college, or state university to suspend, dismiss, or expel any student or employee at such university or college.

(f) Any person convicted under this section shall be punished as follows:

(1) Upon a first conviction, by a fine of not exceeding five hundred dollars ($500), by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

(2) If the defendant has been previously convicted once of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 10 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and

he shall not be released on probatoin, parole, or any other basis until he has served not less than 10 days.

(3) If the defendant has been previously convicted two or more times of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 90 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 90 days.

Government Code Section

18025. *Holidays.* All employees shall be entitled to the following holidays: the first day of January, the 12th day of February, the third Monday in February, the last Monday in May, the fourth day of July, the first Monday in September, the ninth day of September, the second Monday in October, the fourth Monday in October, the 25th day of December, every day on which an election is held throughout the state, and every day appointed by the Governor of this state for a public fast, thanksgiving, or holiday.

When a day herein listed falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. Any employee who may be required to work on any of the holidays herein mentioned, and who does work on any of said holidays, shall be entitled to be paid compensation or given compensating time off for such work within the meaning of this Article. For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, or compensating time off, shall be considered as time worked by the employee.

Attachment B

MEMORANDUM OF GENERAL COUNSEL

Student Disciplinary Procedures for the California State Colleges (Executive Order No. 109)

At its July 13-14, 1970 meeting, the Board of Trustees adopted changes in Title 5, California Administrative Code, authorizing establishment of a State College code of student disciplinary procedure. A draft code was available at the time and distributed as part of the agenda item considered by the Committee on Educational Policy. The week of the Board meeting, this draft, together with the Board's action, was distributed to all State College Presidents, to the Academic Senate of the California State Colleges, and to the California State Colleges Student Presidents' Association (CSCSPA). All were requested to present their comments and suggestions on the procedures, including possible changes, to the Chancellor.

Responses have been received from nearly all State Colleges. From these comments, the suggestions of staff members and two extensive meetings with the CSCSPA Steering Committee, a very large number of valuable suggestions have been received. All of them have been thoroughly reviewed and a sizeable majority are reflected in changes in the procedures established by Executive Order 109.

This memorandum discusses the nature and function of the procedures and comments on certain of its provisions. Some of the questions asked in several of the college responses are addressed in the discussion.

A. *The Nature and Function of the Procedures*

These procedures complete a major phase of revision in the area of student discipline. In the Spring of 1969, the Board of Trustees completely rewrote its rules and regulations governing student conduct (5 Cal. Adm. Code §§ 41301 and 41302). These provisions constitute the grounds for disciplinary action. The next major phase is the current revision of the procedures through which determinations

can be reached in particular cases. However, the issuance of the procedures does not complete revision in the area of student discipline. There is further work to be done and it is important to recognize what the procedures do not do, as well as what they do.

The procedures attempt no articulation of the underlying purposes of student discipline or the questions of its relationship to counseling or the place of discipline as a part of the educational process. Neither do they attempt to set out a "code of student rights and responsibilities." That is a subject of independent review by the CSCSPA, and is not within the competence of a procedural document.

The procedures should not be construed to modify the operation of student codes in areas other than student disciplinary proceedings. Thus, student judicial systems which have been established or which might be established in the future with jurisdiction over such matters as election disputes on the campus, the interpretation of student body documents, and the like, are not affected by the Executive Order.

In discussions with the CSCSPA Steering Committee, it became evident that in some instances the proposed code had been examined in relation to courtroom procedures with the result that a number of suggestions were made with a view toward replicating court rules and practices in student disciplinary actions.

The courtroom analogy is not appropriate. Instead, the proper comparison is to administrative adjudication by public agencies. That is a field which, by now, is well established and widespread. The procedures in use for administrative adjudication, at federal, state and local levels, typically do not involve panels, juries (and the highly refined special rules which have to be developed in order to have juries), unusual standards of proof, or a number of other special rules that attend certain kinds of court actions, such as criminal trials. But this is not to say that they contemplate open-ended, "anything goes" kinds of proceedings. At least in California, at the state and local levels, they have developed through rules which articulate the kinds of evidence which can be received, procedures through which hearings can be conducted, decisions which can be reached, notice, provision for representation at hearings, and other elements of a fair hearing. Finally, the procedures are intended as a living document. It is anticipated that they will be changed from time to time, on the basis of experience and developments in the law. It is a corollary of this fact that no one is under the illusion that a perfect document has been created. But, judging from the responses and discussions which have been had, it is sincerely believed by most of those who have reviewed it, that it establishes a far better procedure than had existed before, and that it will be possible to make it better yet on the basis of experience and such refinements and modifications as experience indicates.

B. *Comments on Particular Provisions*

(Section references correspond to the procedures)

3. *(Immediate suspension and withdrawal of consent to remain on campus).* The standards for implementation of immediate suspension and for withdrawal of consent to remain on campus, as set out in this section, are taken directly from the applicable statutes: Education Code Section 22505 in the case of immediate suspension, and Penal Code, Section 626.4 in the case of withdrawal of consent. We have not felt that we could vary the standard prescribed by the Legislature, and therefore have used it without change.

It is anticipated that an immediate suspension would almost always be coupled with withdrawal of consent to remain on campus. The reason is that the factors which would justify suspending a student before a hearing can be held on the merits would almost necessarily require his removal from the campus during the same interim period of time.

It is unfortunate that the statutory framework separates these two actions—immediate suspension and withdrawal of consent to remain on campus. The statu-

tory differences between them have necessarily complicated this provision dealing with their implementation.

For both immediate suspension and withdrawal of consent, the law requires that a hearing be held within specified periods of time; 10 days for the former and 14 days for the latter. The issue at the hearing is not the ultimate question of the student's guilt or innocence under charges or the formal discipline, if any, to be imposed. Instead, it is whether at the time of the hearing, conditions justify a continuation of the temporary suspension and withdrawal of consent.

In some circumstances, it may be possible to combine this hearing with the hearing on the merits, provided the student charged is given adequate notice.

4-b. *(Action following criminal convictions).* Education Code Section 22505 requires proceedings for discipline to be initiated in the case of a student who has been convicted of a crime as described in that section. As pointed out in the *General Counsel's Digest of Selected Legislation as Enacted in the 1969 Regular Session* (pp. 51-54), the hearing must be held in the event of such a conviction, even if there had been an earlier campus proceeding on the student misconduct issues. In the event of a conviction, the code requires "appropriate disciplinary action" to be taken. The issues at the hearing are whether the student charged was convicted of a crime, and whether the crime arose out of a campus disturbance.

Education Code Sections 31291 and 31292 are similar with respect to financial aid termination where state financial aid of some kind is involved. These sections, together with federal aid termination statutes are discussed in our opinions L68-328 (Student Disturbance Limitations on Eligibility for Federal Assistance Programs) and L69-780 (Forfeiture of State Aid to Students) previously distributed to State College presidents, deans of students and State College financial aid officers. The state and federal statutes also require proceedings to be initiated under circumstances other than conviction of certain crimes. (See discussion with respect to Section 12-C(1)).

4-d. *(Waiver of hearing and acceptance of determination of the Coordinator).* It is anticipated that, as a matter of general practice, the Coordinator will make preliminary determinations of the appropriate disciplinary sanction and of the financial aid issues merited by the case. Once the president or his designee has approved those preliminary determinations, the Coordinator will then give the student concerned an opportunity to discuss the matter with him. Where this practice has been used in the past in the State Colleges, the Coordinator has typically informed the student in some detail of the evidence in hand against him. The student may then accept the decision arrived at, or not. The section makes it quite clear that in the event the student does not accept it, the preliminary decision has no further standing whatever, and may not be received in guidance or considered at a subsequent hearing.

5-a-1 and 6-a. *(Office hearings).* These sections allow informal hearing by an administrative officer. They were prepared to retain maximum flexibility at the college. As a result, they provide that the president is to determine the procedures to be followed with respect to such hearings, except for the provisions spelled out in the document itself. These include the following: The hearings must be held before a single administrative officer rather than a panel; the student charged is entitled to adequate notice; evidence considered by the administrative officer must be shared with the student charged so that he is informed of all such evidence against him and can question it; the student charged must have an opportunity to present evidence on his own behalf; and the student charged must be notified that he may be accompanied by an adviser. It is for the college to further develop rules to implement this section in a manner which retains both the elements of fundamental fairness and the informality the provision is designed to provide. It is recommended that the standard of evidence set out in Section 10-a be used; and that the substance of Sections 10-f, c, g, i, j, l, m, n, and o, also be retained. The college procedures should provide that the Coordinator be present at these

proceedings, as is contemplated in the final sentence of Section 6-a. Finally, the college may appropriately provide for findings by the administrative officer to cover the elements set out in Section 10-f, and for presidential action and review along the lines of Section 11.

5a-3 and 6-b. *(Residence hall committees).* This provision is designed to enable colleges which wish to do so, to continue the practice of residence halls committees for minor infractions in residence hall facilities. Such proceedings are now relatively informal in nature and, under these procedures, they would involve relatively minor alleged infractions. The provision is permissive so that the college may elect to have such committees or not, as it chooses. It was considered that similar committees for other areas are beyond the scope of this document; thus, action by a fraternity with respect to its members would not be a matter of student discipline and, as already indicated, the functions of student judiciaries in non-disciplinary matters are also outside of the scope of the document.

7. *(Notices).* The Office of General Counsel will prepare forms for notices, which may be considered for use by the State Colleges. Should an immediate problem arise prior to the time these forms are received, it is suggested that the Coordinator or other appropriate college officer discuss it with the attorney assigned to the State College.

8-a. *(Coordinator).* The provision with respect to appointment of the Coordinator is drawn to provide maximum possible flexibility to the college. It is not anticipated that the functions of this position will be full-time. More likely, they will be sporadic, occasionally being not only full time, but requiring assistants, while on other occasions requiring a very small amount of time. This circumstance would seem to suggest a combination of the duties of the Coordinator with such other duties as the college may consider appropriate.

In their comments with respect to the proposed procedures, several State Colleges asked whether the Coordinator position should be included within the student personnel division of the college. The function could be included in the student personnel area. Indeed, the dean of students or an associate dean could be appointed Coordinator. Whether or not this is advisable is entirely within the sound discretion of the College.

9. *(Hearing Officer).* At the very strong request of the CSCSPA Steering Committee, and in accordance with suggestions forwarded by many of the colleges, the procedures now provide that the Chancellor, will designate the hearing officer, rather than the Presidents.

Work has already begun which it is hoped will lead to the designation of professionally qualified individuals in each community who can be available as hearing officers. At the present time, it is not anticipated that a permanent or full-time hearing officer or panel of hearing officers will be retained through the Chancellor's Office and sent to the colleges on a "circuit riding" basis. Instead, it is proposed that working through each college, it will be possible to designate qualified individuals in the area of the college. In many instances, it is hoped that our efforts in this area can be assisted through the organized bar. In the case of a few state colleges, we now know that it will be possible to designate a retired judge of considerable stature as hearing officer.

In the meantime, the Chancellor has designated hearing officers appointed by the Presiding Officer of the Office of Administrative Procedure. This is an agency of the State government made up of full-time professional hearing officers, assigned to conduct adversary quasi-judicial administrative hearings in a wide variety of matters.

10-k, l, and m. *(The record, and confidentiality).* These provisions provide for a record of the proceedings, and for a policy of confidentiality.

We are informed that in the view of student personnel professionals, it is in the interest of the college and of the educational validity of student disciplinary procedures that proceedings in these matters be held confidential. These procedures reflect that point of view.

It has been suggested that hearings should be closed and the proceedings considered as confidential only if the student charged so requests. Of course, this would be inconsistent with the policy just summarized. Besides complicating consolidated hearings, it would also seriously weaken the ability of the college to protect, as confidential, the record of a proceeding which the student charged had asked be closed. This subject has been litigated at the trial level on a number of occasions. Courts have held that a policy of confidentiality on the part of the college would present a substantial basis for the exercise of judicial discretion recognizing a privilege with respect to the proceedings. On the other hand, a college policy that the proceedings are confidential only at the request of the student concerned, has been held to make the college a mere conduit for the request of the student. Since the student has no legal right to confidentiality assertable in court, the court held that the college is in no better position when its action is based only on the student's request.

A breach of this confidence, such as would occur by an unauthorized disclosure of the tape recording of a hearing, could be made subject to sanction, on the basis of an appropriate local order published as provided in subdivision (1) of Section 41301 of Title 5.

The provisions on confidentiality make clear that a student charged may make the campus proceedings public in a court action brought to review the disciplinary action of the college. Thus, should a student suspended under these procedures apply to a court for judicial review of the disciplinary action, the record of the proceedings could become a public document.

The final decision of the President on discipline may be made public.

11-a (*Reviewing Panel*). A few suggestions were received from state colleges, and the CSCSPA Steering Committee recommended, that the panel system be continued on an optional basis so that a student charged could choose to have his case heard by a student panel constituted as before. An alternative suggestion in one case was that the hearing officer be supplemented by a student jury which would decide all of the factual questions. (The CSCSPA Steering Committee also recommended a review panel, that suggestion is discussed following a review of the trial panel and jury proposals.) It is our view that the implementation of either of these proposals (trial, panel, and jury) would result in procedures just as unsatisfactory as those we have had.

As was discussed more fully at the Committee on Educational Policy on July 13, 1970, the accumulated experience of hundreds of separate hearings establishes that the panel system does not work and there is no prospect that it can be made to work. Among other problems, it calls upon laymen to manage and control a hearing and decide the many kinds of questions hearing officers are constantly called upon to determine during the course of the proceedings. It asks laymen to perform that which, in administrative adjudication, has almost universally become the job of a trained professional: fact determination and settling the record. Because of the number of people involved in a panel, and the fact that all of them have different ongoing campus schedules which they cannot be expected to drop, difficult problems of scheduling are created, which in turn have led to one delay after another.

The jury proposal may have resulted from the assumption that since the procedures proposed are more formal and "legal" than many of the loose arrangements that had existed, it would be better still to go the full distance toward "legalisms" and install a proceeding entirely analagous to a court, with all its attendant features, including the jury. As indicated at the beginning of this memorandum, the appropriate analogy is not to the actions of a court, but to administrative adjudication. The installation and management of a jury system is no simple thing. It involves refined procedures for the selection of the jury, challenge of jurors (for cause and peremptorily), keeping extraneous information from jurors, and instructing the jury. This last aspect is particularly technical. The development of a system of formal jury instructions, which would be necessary were juries to be used, would add a very considerable burden to the hearing provision.

It would probably make hearings impossible in all cases unless counsel were present on both sides.

While these procedures authorize counsel, they do not require counsel to be present, and it is anticipated (and hoped) that the presence of counsel will be the exception rather than the rule in student disciplinary proceedings.

What has been said goes to the problems of hearing panel and jury systems with respect to fact finding and adjudication. The basic reasons advanced for the inclusion of a student panel at any level, as they have been articulated to us, is not the expertise of the individuals who might sit on it, but rather the opportunity for students to have a meaningful participation in a process through which other students are disciplined. It has been suggested that it is possible to provide that opportunity without the problems which have been experienced with the panel system. One way to do it is through a panel established to advise the president on the disciplinary consequences to be drawn from the fact as established by the Hearing Officer. The provision in Section 11a, which is optional for each college to apply or not as it chooses, would do just that. In making his final decision, the president would have the Hearing Officer's findings of fact, his determination as to which grounds of discipline are established, if any, his recommendation as to discipline, and the recommendation of a panel on the issue of discipline.

It is recognized that there are certain problems inherent in establishing a review panel even along the lines of the suggestions which led to Section 11a. It may be that experience will indicate that no panel is feasible. At face, it would appear that it is possible for such a panel to enhance the efficacy of the procedures. Section 11-a is included in recognition of the strong suggestions we have received from the CSCSPA and some of the colleges. If changes in this area are indicated, on the basis of experience, they can be made, as they can with respect to other aspects of the procedures.

12-c(1). This provision refers to Chapter 4.7 of Division 22 of the Education Code (Sections 31291-31294) relating to forfeiture of State aid to students. Several questions have been received as to why a special provision is made with respect to determinations under this section. The reason is that in this unique instance, the code requires adjudication by a board—that is, a panel made up of more than one individual. (The section contains repeated references to a "hearing board" and in one instance refers to a "majority vote".) In the event state financial aid in a particular case is terminated as a result of any other provision, this section would become moot. Thus, for example, if federally supported financial aid is terminated, that termination would require termination of State aid which is furnished on a matching basis to the federal program. Similarly, if a student is found by these procedures not to have committed an "act likely to disrupt the peaceful conduct of the activities of . . . [the] campus", and was acquitted of a criminal charge arising out of the same events, the operative facts for Education Code Section 31292 would not exist. In either case, no proceeding would be required under Education Code Sections 31291 and 31292. It is only where the student is found to have committed such acts, or is convicted of such a crime, and where state financial aid had not been otherwise terminated, that a proceeding must be held before a hearing board as provided in this Section. Should it appear that this situation will occur in a particular case, it is suggested that the Coordinator discuss the matter with the attorney assigned to the college.

13-b. *(Denial or qualification of admission).* Proceedings under this section can be handled either through the hearing officer process as set out in Section 10-c, or through an administrative officer as set out in Section 6. The administrative officer may be, but does not have to be, an individual in the Office of Admissions and Records.

Appendix H

COMMUNICATIONS CODE

(BOD/AS: 3/27/67; Senate: 4/6/67; President: 4/21/67)

Publications and broadcasting activities subsidized by the Associated Students and affiliated with an instructional department of California State College at Los Angeles shall be regulated by this Code. The *Student Handbook* is also under the jurisdiction of this Code.

The staff members of these publications and broadcasting activities will be continuing students at CSCLA. They will adhere to the provisions of this Communications Code, which will be administered by the Communications Board as described below.

Objectives of the Communications Code

To help maintain publications and broadcasting activities as an integral part of the educational program at CSCLA.

To help insure that the publications and broadcasting programs are guided by the same principles as guide other curricular and co-curricular programs at CSCLA.

To provide a representative body drawn from faculty, administrators and students to interpret and apply those policies established by the Communications Code.

To preserve and guarantee full editorial freedom of students.

To make clear the editorial responsibilities of students.

To preserve and guarantee fair procedures for resolving differences between publications and broadcasting staffs and their readers, listeners, advertisers and others.

To define the relationships and lines of authority between the staffs of the publications, broadcasting activities and Communications Board, the Associated Students, the College faculty, administration and staff, the faculties of the Departments of Journalism and Broadcasting and English, the Student Finance Office and other segments of the CSCLA community.

To provide the editors and student director of broadcasting with a general policy within which they are expected to guide their publications or broadcasting activities.

To promote continuity of publications and broadcasting activities.

Functions of the Board

In broad terms the Communications Board shall:

Ratify the selection of major publications executives.

Arbitrate serious disputes between the publications and their readers or clients.

Set general policy for the publications, which shall embrace the best standards and practices of publishing.

Review budgets of publications and broadcasting activities.

Encourage development of new publication and broadcasting activities.

Statement of Responsibility

CSCLA is represented in part through its publications and broadcasting activities. Final responsibility for the publications and broadcasting rests with the President of the College. This responsibility is delegated by the President to the Communications Board, the editors and staff members who publish the *College Times*, *Pitchfork*, *Statement*, *Student Handbook* and to the student director and staff members of the CSCLA Radio Network.

The College has the final authority and responsibility for the publications and broadcasting programs. The Communications Board, as chief agent for the Col-

lege, administers the programs, but will not become involved in the day-to-day operations. The faculty advisers shall provide liaison between the Communications Board and the publications and broadcasting staffs.

Responsibility for the contents of these publications will be in the hands of the editors and their staffs. In each case the editor's decision is final. There shall be no pre-publication censorship by the faculty adviser, the Communications Board or any other individual or organization of the college community.

The College is aware that the decision of a student editor might not be the kind of decision that a member of the faculty or administration would make in the same situation. It is conceivable that an editor's decision might be embarrassing to the College, but it still upholds the idea that the editor is free to make honest mistakes when personal conviction is at stake. The College believes its concerns are better served by freedom than by censorship.

The staffs must recognize, however, that every right has its responsibility; every privilege its obligation. The right to free expression carries the responsibility of stating facts accurately, of giving adequate coverage to views contrary to those of the editors and of adhering to standards of professional journalism.

Membership of the Board

The members of the Communications Board shall consist of:

Three faculty members appointed by the all-college Committee on Committees, one to be from the Department of Journalism and Broadcasting. These faculty members are to serve for terms of three years on a rotating basis to be determined initially by lot.

Three students appointed by the Associated Students Board of Directors. These students, to be of at least junior standing, are to serve rotating terms by this method: The first year, two students will be appointed to two-year terms and one student to a one-year term. The second year, one student will be appointed to a two-year term.

One person appointed by the President of the College.

Membership will be permanent for the terms of the appointment and not at the pleasure of the appointing body.

Five voting members will constitute a quorum.

Ex-officio, non-voting members of the Communications Board will be the Dean of Students and advisers to the *College Times*, *Pitchfork*, *Statement*, *Student Handbook*, CSCLA Radio Network, and any other publications which are developed.

Meetings of the Communications Board will be open with this exception: When dealing with personnel matters of the board, on the motion of one of its members and the casting of five affirmative votes, may go into executive session. The chairman is empowered to call meetings, or meetings can be involved by petition of three members. The Board shall determine its own chairman annually and may select other officers. Such appointments will be made by a majority vote.

Allocation of Funds

Funds shall be allocated to the Communications Board by the Associated Students Board of Directors.

When it is feasible—and beneficial—publications shall provide as much of their own financial support as possible, drawing upon advertising, subscription and other revenue sources.

Each publication shall submit an itemized budget request for the coming year to the Communications Board. The editor and adviser of each publication shall appear before the Board to explain the request. The Board shall review the budget requests and arrive at a final recommendation.

The Communications Board or its representative(s) shall meet with and present to the Associated Students Finance Commission a recommendation for the total allocation itemized by total publication and areas within the publications.

Once the total publications allocation has been approved by the Associated Students Board of Directors, this fund shall be under the control of the Communications Board. For purposes of fiscal articulation, the Communications Board should follow the financial procedures of the Associated Students. If the allocation is greater or less than the amount requested, the Communications Board shall review the original budget requests and arrive at a final budget for each publication. The Communications Board shall record the final budget for each publication at the Office of the Director of Student Finances prior to the release of funds.

Should unforeseen circumstances arise requiring additional funds, the procedure shall be similar to that of the regular budget request process.

The Communications Board must approve transfers of funds from one line item to another for any publication. Funds may be reallocated from one publication to another only with the mutual consent of the editor of each publication involved.

Handling of Complaints

The arbitration process of the Communications Board is a voluntary one. It is *not* the intention of this Code to prevent anyone from seeking redress in other ways. A person with a grievance is encouraged to seek the traditional relief of talking personally to the editor or adviser without involving a third party. In the case of the *College Times*, he may seek to address the College community through the paper's letters to the editor column. In the case of the CSCLA Radio Network, he may seek to address the College community through the editorial broadcasts of the campus facilities.

If a complainant uses one of these methods but the dispute remains unresolved or if he chooses not to employ either of these methods, he may start the arbitration machinery as follows:

The complaint against the campus publication must be submitted in writing to the Chairman of the Communications Board, who will designate a hearing officer from among the regular voting members of the Board.

If the hearing officer decides the complaint merits further attention, he will set up a meeting between the person with the complaint, the editor of the publication and himself. It is believed that a discussion of points of disagreement between reasonable persons will end in settlement of most disputes.

If both sides are satisfied at the close of this meeting, the matter will be dropped.

If, however, the dispute remains unreconciled, the Communications Board at its next regular meeting will hear testimony from all interested parties and attempt to resolve the matter.

The Communications Board as a board shall not solicit "business". It shall never initiate the arbitration process described above. It shall never attempt to arbitrate disputes unless the editor and the person with a complaint have been brought together for discussion as described above.

If an individual member of the Board initiates a complaint he shall not participate in the adjudication of the complaint.

If the student editor and faculty adviser of a publication are at loggerheads over a serious matter, they may seek the counsel or arbitration of the Communications Board. They will start the process by first contacting the Chairman of the Board. This is a voluntary process; the Board shall not step into disputes of this nature unless asked by the editor or adviser.

Selection of Editors

Any CSCLA student may submit a nomination for editor. Nominations must be presented to the publication's regular class meeting no later than three class meetings before the last day of instruction.

Only those enrolled in the publication courses (Journalism 391, *College Times;* Journalism 193, *Pitchfork;* and English 392, *Statement*) are eligible to vote for editor. Election must be by majority vote and held at the publication's next class meeting after the close of nominations.

Each staff's choice for editor must be acted upon by the Communications Board before the publication's next class meeting. If an editor is not approved by five Board members, the publication class must make another selection; nomination and election must take place at the same meeting. The Communications Board must act upon the new recommendation within seven days after the class meeting.

If the Communications Board fails to approve a staff's second choice of an editor, the responsibility for nominating and electing an editor shall devolve on the Board itself. The Board should make its selection as soon as possible, but at least three days must elapse between nominations and election. Election shall be a majority vote of those voting.

If for any reason the editorship becomes vacant, the faculty adviser shall name an interim editor. The Communications Board shall then determine the procedure for the selection of the new editor.

Nominees for editor must have these qualifications:

Be at least in junior class standing at the commencement of his duties.

Be enrolled as a regular student throughout his tenure of office.

Have a total college grade point average of 2.3 or higher at the time of his election.

Be enrolled in the publication's class, or previously have completed one quarter in the class, at the time of his election.

Be of good character and possessed of competent judgment and the necessary editorial ability and experience.

It shall be the responsibility of the adviser to inform the staff of these prerequisites prior to nomination of candidates and the responsibility of the Communications Board to inform the College community of the election and the prerequisites for nomination. Staff election of an editor who is not so qualified shall justify his rejection by the Communications Board. The Board may, however, by five affirmative votes, waive any qualifications.

The *Student Handbook* editor shall be named in the spring term by the Associated Students President, subject to the qualification that the editor be a CSCLA student of good character and satisfactory academic standing. His name must be submitted to the Communications Board.

If he is not approved by five members of the Communications Board within fourteen days after nomination, the A. S. President shall name a second choice, subject to identical qualifications and approval. If he is not approved within fourteen days by the Board, or if no second choice is indicated, the responsibility for selecting an editor shall devolve on the Dean of Students, subject to approval by a majority vote of the Communications Board.

If the *Student Handbook* editorship shall become vacant for any reason other than dismissal of the editor by the Communications Board, the Dean of Students shall, on his own authority, appoint a new editor, subject only to the qualifications that he be a CSCLA student of good character and satisfactory academic standing.

Printed Advertising

Advertising space in the student media is for sale to legitimate advertisers at established rates, as set forth in the official rate cards, and no advertising will be accepted on any other basis. Advertising space will be sold with no reference whatever to news or editorial content. No additional publicity space will be promised or given any advertiser, and any news or publicity material submitted with an advertisement, or from an advertiser, will be used only if and to the extent that the editor believes its inherent news value warrants.

Copy and illustrations for advertisements shall conform to acceptable standards of good taste, integrity and responsibility. Fraudulent or obviously misleading advertisements will not be accepted. No advertisements contrary in any way to College regulations or to city, state or federal laws will be permitted.

The student media reserve the right to refuse any advertising. They will maintain and furnish upon request a list of types of advertising prohibited. These lists shall be filed with the Communications Board.

Role of the College Times Adviser

The *College Times* faculty adviser shall act in an advisory capacity only. His role shall be to advise students regarding the best standards and practices of journalism.

His counsel should be sought freely by the editor or editorial staff when questions of judgment are involved. He may make suggestions at any time.

Responsibility for content, however, rests upon the editor and the staff.

Duties of the College Times Editor

The editor is the chief news executive of the *College Times* and shall be responsible for making or delegating all editorial decisions.

The editor shall insure that the *College Times* reflects the activities, ideas, and events pertinent to the College campus.

The editor shall recognize that the *College Times* has a service function within the College community, and he shall provide coverage of events related to the constituent groups of the academic community such as the faculty, students, administration, alumni, staff, student and faculty organizations, student government, social, professional and honorary societies.

The editor shall edit the *College Times* in a manner consistent with the specific provisions of the CSCLA Communications Code and the general provisions of the American Society of Newspaper Editors. Canons of Journalism, the "What Makes a Good Newspaper?" statement of the Criteria Committee of the Associated Press Managing Editors Association, the Basic Statement of Principles of the National Conference of Editorial Writers and the AAUP Statement on the Freedom of Student Publications.

The chief form of redress against gross violations of journalistic ethics or practices shall be removal of the editors by the Communications Board. No editor shall be removed from office without due process. Appeals from decisions of the Board may be made to the President of the College.

Letters to the Editor

Recognizing that letters to the editor will range between high praise and extreme censure the editor should consider all letters carefully and print a fair representation of all views. There are limits in civilized discussion, however, and the editor should refuse to publish defamatory letters and all letters contrary to law.

Students and members of the faculty, administration or staff subjected to personal attack shall be given opportunity by the editor to reply in the same issue, but publication of either attack or reply need not be delayed longer than any one issue.

Letters based on obvious errors of fact should be returned to the senders for revision. Letters must be signed and full College identification given, but a name will not be printed if the sender so requests. Identification should be verified when the editor deems it necessary.

The *College Times* shall print at least once each term, and preferably more often, its policy on letters to the editor.

Amending Power

The Code may be amended only by the following procedures: (1) initiated by the Academic Senate, (2) initiated by the Associated Students Board of Directors, (3) upon petition of 1,000 students, or (4) upon five affirmative votes of the Communications Board. A proposal to amend this Code may be presented to the Academic Senate and the Associated Students Board of Directors. Upon passage by a majority vote in each, the proposal shall be adopted.

Appendix I

GRIEVANCE PROCEDURES FOR ACADEMIC PERSONNEL OF THE CALIFORNIA STATE COLLEGES

Executive Order No. 112

This Executive Order is issued pursuant to Section 42714 of Title 5 of the *California Administrative Code.*

1. Except as provided in this Executive Order, the Grievance Procedures for Academic Personnel of the California State Colleges are established effective this date, for the California State Colleges, and shall govern grievance proceedings with respect to academic employees according to its terms. A copy of these Procedures is attached to, and made a part of, this Executive Order.

2. As provided in these Procedures, they supersede other procedures previously in force in the California State Colleges.

3. These Procedures shall be made available to all academic personnel covered by its terms.

4. If, in the judgment of the President of a new or small State College, there are particular provisions in these Procedures which appear impractical to institute during an identified period of time, he may request the Chancellor to waive such requirements in the case of the particular State College. The Chancellor shall review such requests and take action as appropriate.

DATED: SEPTEMBER 30, 1970

Glenn S. Dumke

GLENN S. DUMKE, *Chancellor*

1.0 *Purpose and Scope*

1.1 All grievance procedures previously adopted for faculty members and academic employees are hereby revoked except as provided in Section 1.3.

1.2 The Grievance Procedures herein provided are established pursuant to Section 42714, Title 5, California Administrative Code,[1] and are intended to apply to every California State College.

1.3 Grievance proceedings under the Interim Procedures for Handling Grievances and Personnel Complaints of Academic and Administrative Personnel (issued in 1961) or under Executive Orders 56 or 80, which were commenced but not concluded by September 30, 1970, shall continue under the procedures of the respective Interim Procedures or Executive Order, except that the Chancellor's Review Panel shall be advisory to the Chancellor and the Chancellor shall make the final decision. A proceeding shall be considered to have been commenced under Executive Order 56 or 80, as the case may be, on the date a formal request for a grievance proceeding was filed with the appropriate college officer or agency.

1.4 It shall not be the function of any Grievance Committee to act as an appellate personnel committee. If a Grievance Committee finds a prior committee or administrator substantially departed from required procedures, and such depar-

[1] Specific code sections referred to in these procedures are set out in the Appendix.

ture was substantially prejudicial to the grievant, or that substantial evidence favorable to the grievant was ignored, or that under the circumstances, it was arbitrary to take the action of which the grievant complains, the Committee shall report its findings to the President with a recommendation either:

1.4.1 that the appropriate faculty committee or administrator reconsider the matter and make a recommendation to the President in accordance with established procedure; or

1.4.2 that such action as the Committee specifies be taken by the President.

1.5 These Procedures may be utilized by all full-time, tenured and probationary academic employees of the California State Colleges, including those on leave of absence with or without pay.

1.6 The purpose of these Procedures is to provide an equitable means of correcting actions taken by the California State Colleges which directly aggrieve academic employees. It is intended that a grievance proceeding be initiated only in the gravest situations involving serious injustice to an academic employee.

When a grievance hearing is initiated, it thus may be assumed that a major problem is manifest. For this reason, the Grievance Procedures are deliberately precise. However, it must be emphasized that a grievance hearing is in no sense a trial. Attempts to resolve the areas of discontent by informal discussion shall precede, continue through, and preferably be a reason for terminating a grievance proceeding.

2.0 *Authority of the President*

2.1 All determinations and findings under these Procedures made at the College level by anyone other than the President are in the nature of recommendations to the President, who shall have final authority at the College level.

2.2 The functions of the President as described in these Procedures, may be delegated by him to designees who are employees of the College, and who shall exercise those functions in his name. However, the President shall be responsible for any action taken under his authority. All references in these Procedures to the "President" mean the President of the College at which the grievant is employed and include such designees.

3.0 *Definition and Grounds*

3.1 As used in these Procedures, a "grievance proceeding" is a proceeding initiated by an academic employee who claims that he was directly wronged in connection with the rights accruing to his job classification, benefits, working conditions, appointment, reappointment, tenure, promotion, reassignment, or the like. Such an action seeks correction of that asserted wrong. Such an asserted wrong may grow out of an arbitrary action, out of a substantially unfair departure from duly established procedures, or because substantial evidence favorable to the grievant was ignored. It does not arise from an unarbitrary exercise of discretion made pursuant to applicable procedures, nor does it arise from a minor defect in procedure, that is, one which probably did not affect an ultimate substantive decision. A grievance complains of a college decision or action; it does not lie against any individual. A grievance proceeding is to be distinguished from a disciplinary action proceeding which does not give rise to correction of the effects of the wrongdoing, but instead looks to a dismissal, demotion, or suspension, or the imposition of some lesser sanction upon the wrongdoer.

3.2 A grievance proceeding may not be initiated for an asserted wrong arising out of either a disciplinary action proceeding or a grievance proceeding where the academic employee seeking to initiate the grievance was either the person charged or the grievant in the prior proceeding.

3.3 Only final decisions are subject to review by a grievance proceeding; grievance proceedings may not be brought to review recommendations of faculty

committees or of administrators. A final decision may be the subject of only one grievance proceeding by any grievant. The President or his designee shall determine whether a particular decision complained of is a final decision, and whether it was the subject of a previous grievance proceeding commenced by the same grievant. A grievance proceeding may not be brought to review such determinations of the President or his designee.

3.4 As used in these Procedures, "college working day" shall mean any day other than a Saturday, Sunday or holiday as defined in Government Code Section 18025.

4.0 *Informal Solution*

4.1 No grievance proceeding may be initiated unless, in an attempt to resolve the problem, the grievant has made a reasonable attempt to resolve the problem amicably on an informal basis.

4.2 At such informal discussions, the only persons present shall be the grievant and the college officer or officers who have responsibility for the college action of which the grievant complains.

4.3 Any statements made in the course of such discussions shall not be admissible in the subsequent grievance proceeding, should it be initiated.

5.0 *Initiation*

5.1 A grievance proceeding shall be initiated by written Notice of Grievance sent by the grievant or grievants to the President. Such notice shall:

5.1.1 Contain a concise statement of the facts giving rise to the grievance.

5.1.2 State the relief sought.

5.1.3 List the persons with whom discussions were had on the problem in an attempt to resolve it on an informal basis.

5.2 On the same date the Notice of Grievance is sent to the President, a copy of the notice shall be sent to:

5.2.1 The appropriate department chairman,

5.2.2 The appropriate Dean

5.2.3 The Academic Vice President or equivalent officer and the President shall be so notified.

5.3 A more detailed written statement of the case may be sent by the grievant or grievants to the President with copies to the persons designated in Section 5.2 of these Procedures within 10 college working days of the date on which the Notice of Grievance was sent.

6.0 *Period of Limitation*

6.1 If the grievance results from a single event, a grievance proceeding shall not be initiated more than 20 college working days after the grievant has learned of the event, provided that a grievance proceeding may not be instituted more than one calendar year after the occurrence of such event, regardless of the date of discovery. A grievance may result from a series of events over a period of time. In such case, these Procedures may not be used later than 20 college working days after the grievant has learned of the most recent of these events, provided that a grievance proceeding may not be instituted more than one calendar year after the occurrence of the most recent of such events, regardless of the date of discovery.

7.0 *Grievance Panel*

7.1 Each College shall have a Grievance Panel.

7.2 The Grievance Panel shall consist of all tenured academic employees of the College holding the rank of professor or associate professor, holding full-time

appointments, and assigned at least two-thirds time to teaching or research, or both.

8.0 *Selection of Grievance Committee*

8.1 Within three college working days of the receipt of the Notice of Grievance, the President shall cause a Grievance Committee of three members to be selected by lot from among the members of the Grievance Panel. The grievant, members of his department or equivalent administrative unit, and persons directly involved in the action or decision which is the subject of the grievance as well as persons who made recommendations as to such actions or decisions shall be excluded from membership in the Panel during this selection. The grievant and the persons receiving notice pursuant to Section 5.2 of these Procedures shall be notified in advance of the date, time and place of selection and may be present at the time of selection if they wish to excuse or challenge any persons selected.

8.2 Service as a member of the Grievance Panel, as a member of the Grievance Committee, and as a member of the ad hoc panel described in Section 8.4 of these Procedures, unless excused by the President for good cause, is part of the normal and reasonable duties of every employee designated in Section 7.2 of these Procedures.

8.3 The grievant and those persons listed in Section 5.2 of these Procedures may excuse up to two persons from those selected for the Committee without cause. Each may challenge any person selected for membership on the Committee because he is related to the grievant or to any person directly involved in the action or decision which is the subject of the grievance or to any person who made recommendations as to such actions or decisions, or because of past association with such persons which would prejudice his judgment to the degree that it appears that a fair hearing could not be had. The President shall determine whether the facts present grounds for disqualification and his decision shall be final.

8.4 If the list of Panelists becomes exhausted before all three members of the Committee can be appointed, the President of the closest neighboring California State College to the college attempting to select a Committee shall, upon request by the President of the college where the grievance has been filed, select by lot from the Grievance Panel at that neighboring college an ad hoc panel of 20 persons. Utilizing this panel, the procedures provided in Section 8.1-8.3 of these Procedures will be implemented by the President of the college where the grievance has been initiated. Should this ad hoc panel become exhausted, it shall be replenished by the means by which it was established.

9.0 *Initial Determination*

9.1 The Grievance Committee shall determine on the basis of the Notice of Grievance and any written statement of the case submitted pursuant to Section 5.3 of these Procedures whether there are sufficient facts asserted to make it appear that grounds for a grievance proceeding exist, and that a hearing should be held. An affirmative determination shall be made only if all criteria and procedural requirements stated in Sections 1, 3, 4, 5 and 6 of these Procedures have been fully met.

9.2 The initial determination shall be made by majority vote of the Grievance Committee and written notice thereof sent to the President and to the persons listed in Section 5.2 of these Procedures within five college working days of the appointment of the third member of the Grievance Committee. Should that fifth day end without such determination and written notice having been made, the President shall make the initial determination and send notice thereof to the persons listed in Section 5.2 of these Procedures within the next two college working days. Should the President not make and announce such decision within the allotted time, the matter shall proceed to hearing as though an affirmative

determination had been made and announced on the seventh college working day after appointment of the third member of the Grievance Committee.

9.3 If the initial determination is negative, the Notice of Initial Determination shall state the reasons for that negative decision, and there shall be no further proceedings under these Procedures.

9.4 If the initial determination is affirmative, the Notice of Initial Determination shall state the date, time, and place when and where the hearing on the grievance shall occur. The date selected shall be within fifteen college working days of the date of the announcement. Once set, it may only be extended by the Chairman of the Grievance Committee (see Section 10.2 of these Procedures) for reasons which, in his opinion, are compelling. In setting the date, and granting extensions, the time restriction in Section 11.3 of these Procedures should be kept in mind.

10.0 *Grievance Committee Procedural Rules*

10.1 Decisions of the Grievance Committee, except rulings made by its chairman (see Sections 10.3 and 10.4 of these Procedures), shall be by majority vote of the three members, except as provided in Section 10.13.2 of these Procedures.

10.2 Upon first convening, the Grievance Committee shall elect a Chairman and acquaint itself with these Procedures.

10.3 Unless overruled by a majority of the Grievance Committee, rulings of the Chairman shall be final on all questions except those pertaining to the initial determination and the substance of the findings and recommendations of the Committee which are sent to the President. All other provisions of these Procedures pertaining to the authority of the Chairman shall be subject to this section.

10.4 The Chairman may establish such other rules, within the general guidelines of these Procedures, as he deems necessary.

10.5 The Grievance Committee, through its Chairman, may obtain advice, as needed, from the Office of the Chancellor.

10.6 Two members of the Grievance Committee, one of whom must be the Chairman, shall constitute a quorum for transaction of the business of the Committee. No member who is absent during any part of the hearing may participate in the preparation of findings and recommendations of the Committee without first listening to the tape recording of the portion of the hearing conducted in his absence.

10.7 The Chairman of the Greivance Committee shall arrange for tape recording, but not a transcription, of the hearing. No other recording of the hearing shall be permitted.

10.8 Once a grievance has been set for hearing pursuant to Section 9.4 of these Procedures, the grievant may withdraw all or any part of his grievance only with the consent of the Grievance Committee. Once the hearing has been completed, the grievant cannot withdraw his grievance, even though the Committee has not yet formulated its findings and recommendations.

10.9 At the hearing, the grievant shall present his evidence, following which other evidence shall be received. The grievant shall have the burden of persuasion.

10.10 Where more than one grievant complaining of a wrong arising out of the same set of facts has a hearing pending, the hearings may be consolidated with the approval of all such grievants and of the Grievance Committee first appointed to hold such hearings. The consolidated hearing shall be conducted by that Grievance Committee.

10.11 The grievant and those persons listed in Section 5.2 of these Procedures shall be permitted to be present at all proceedings of the hearing whenever any evidence is being presented, and, subject to recognition of the Chairman of the Grievance Committee, shall be permitted to:

10.11.1 Examine all evidence presented to the Grievance Committee.

10.11.2 Present evidence available to them and to question witnesses. Written statements may be accepted in evidence by the Grievance Committee but only from persons unable, in the opinion of the Grievance Committee, to attend the hearing. Such inability shall be found only in cases of serious illness or death of the witness or a member of his family, physical absence from the area due to preexisting plans which cannot conveniently be changed, and the like.

10.11.3 Present an oral or written argument, or both, prior to the conclusion of the hearing.

10.12 The Chairman of the Grievance Committee shall:

10.12.1 Call witnesses before the Committee as requested by the grievant and those persons listed in Section 5.2 of these Procedures and by members of the Grievance Committee.

10.12.2 Maintain an orderly hearing and permit no person to be subjected to abusive treatment. He may eject or exclude anyone who refuses to be orderly.

10.13 Except as provided in this section, no person shall be represented by another person. Such representation shall be permitted only if:

10.13.1 Prior to the date set for the commencement of the grievance hearing, the grievant presents a written request for representation to the Chairman of the Grievance Committee in which the grievant claims he is incompetent on emotional, mental or physical grounds to represent himself at the hearing and gives the reasons why he so claims, and

10.13.2 The Grievance Committee unanimously agrees with the grievant on his need for representation, in which case he shall be so notified by the Chairman in writing, and shall be permitted to be represented by anyone he selects, so long as his representative is not an attorney admitted to practice law before any state or federal court.

10.13.3 If such representation is granted, then any rights conferred on the grievant at the hearing by these procedures may be exercised by his representative.

10.14 At the hearing, the members of the Grievance Committee may ask questions of any witness or other person present at the hearing.

10.15 Persons Who May Attend Hearings; Confidentiality.

10.15.1 Hearings shall be closed to everyone other than members of the Grievance Committee, the grievant, the President, those persons listed in Section 5.2 of these Procedures, the tape recorder operator, if any, witnesses while they are presenting evidence, and the representatives of not more than two recognized faculty organizations as provided in this Section.

10.15.1.1 The grievant and the President may each authorize one person who is a representative of a recognized professional faculty organization or the Academic Senate or Council of the College to attend the hearing as an observer.

10.15.1.2 It is the policy of the California State Colleges that evidence, proceedings, findings and recommendations (but not the final decision of the President) are confidential and shall not be made public by the College or by any participant in a hearing, including the faculty organization or Senate or Council observers, except as any of the foregoing may be filed in court or introduced in evidence in an administrative or court proceeding brought to review an action taken pursuant to these Procedures. In the event these

matters should become public, however, the President may authorize such public statements as are appropriate. This policy of confidentiality shall not preclude the College from taking any action following appropriate procedures against any person or entity on the basis of evidence developed at the hearing.

10.16 Pursuant to Section 1.4 of these Procedures, if a Grievance Committee finds that a prior committee or administrator substantially departed from required procedures, and such departure was substantially prejudicial to the grievant, or that substantial evidence favorable to the grievant was ignored, or that, under the circumstances, it was arbitrary to take the action of which the grievant complains, the Committee shall report its findings to the President with a recommendation either:

10.16.1 that the appropriate faculty committee or administrator reconsider the matter and make a recommendation to the President in accordance with established procedure; or

10.16.2 that such action as the Committee specifies be taken by the President.

10.17 The hearing shall not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely. Evidence which is merely repetitious or cumulative shall be excluded.

10.18 Arguments by the grievant concerning the legal (as distinguished from factual) applicability, or legal validity of any statute, regulation, resolution of the Board of Trustees, or Chancellor's Standing Order, shall not be addressed to the Grievance Committee, but to the President, as soon as the hearing has concluded. The President shall seek advice on the matter from the Office of General Counsel. The advice received from that office shall be considered by the President before a final campus decision is rendered.

11.0 *Findings and Recommendations*

11.1 Following conclusion of the hearing, the Grievance Committee shall meet in executive session, with all other persons excluded. In this session, the Committee shall prepare its findings of fact and recommendations to the President for settlement or solution of the grievance.

11.2 The Grievance Committee shall make its written report to the President of the College, with a copy to the grievant. The tape recording of the hearing and the Committee's file on the matter shall be forwarded to the President at this time.

11.3 The President must receive the Grievance Committee report within 30 college working days from the date of the Notice of Initial Determination. In any case in which such report is not received by the end of the 30th day, the Grievance Committee shall be foreclosed of jurisdiction in the case. In such case, the Chairman shall immediately furnish to the President the Notice of Grievance and any statement prepared pursuant to Section 5.3, the President shall make such decision in the case as he deems wise, and no further action may be taken in the matter pursuant to these Procedures.

11.4 In its deliberations, no evidence other than that either received or discussed at the hearing shall be considered by the Grievance Committee.

12.0 *Presidential Action*

12.1 Upon receipt of the report of the Grievance Committee, the President of the College shall review the findings and recommendations of the Grievance Committee and decide upon the action to be taken in the matter. The decision of the President shall concur with the recommendations of the Grievance Committee except in rare instances when, in the opinion of the President, compelling reasons exist for a different result.

12.2 In the event that the President's decision is not in accord with the Grievance Committee's recommendations, the President and the Grievance Committee shall make an effort to resolve their differences regarding disposition of the case. If no such resolution occurs, the compelling reasons for the President's decision shall be detailed in his written Notice of Decision.

12.3 Within five college working days of the time he receives the recommendation of the Grievance Committee, or as soon thereafter as possible, the President shall send his Notice of Decision to the Grievant and to the Grievance Committee unless he returns the matter to the Grievance Committee for clarification, further proceedings as appropriate, or reconsideration of its recommendations, in which cases the three college working days shall run from the date the Grievance Committee returns its further report to him. A Grievance Committee may change its recommendations from those forwarded to the President pursuant to Section 11.2. The President then shall make his decision.

12.4 The decisions of the President in each case are final at the college level.

13.0 *Record*

13.1 If the President's decision is not in accord with the Grievance Committee's recommendations and an appeal is properly filed with the Chancellor, or if the grievant subsequently commences legal action seeking judicial review of his grievance, the grievant, under supervision and at his own expense, may obtain a written transcript of the tape recording of the hearing, provided that he first sign an agreement with the College, and furnish the College with a copy of the transcript when it is completed. This agreement shall provide that use of such a copy shall be limited to subsequent administrative and judicial proceedings held in connection with the matter, that the tape or its contents shall not otherwise be made public in any way, and that any violation of this agreement shall be unprofessional conduct as that term is used in Education Code Section 24306.

13.2 In keeping with the policy stated in Section 10.15.1.2 of these Procedures, in no case other than that described in Section 13.1 shall a transcript of the tape recording of the hearing be furnished to the grievant. Neither the tape recording itself, nor a copy thereof, shall be furnished to the grievant.

14.0 *Review by the Chancellor*

14.1 Any grievant who has received a Notice of Decision on his grievance from a college President which does not concur with the final recommendations of the Grievance Committee, may appeal to the Chancellor by directing a Request for Review to him with a copy to the college President. The Request should have attached copies of the report of the Grievance Committee and the Notice of Decision of the President, and should state the dates of each and the grounds claimed for review (see Section 14.4 of these Procedures). The Request must be postmarked within ten college working days of the date of distribution of the President's Notice of Decision.

14.2 If more than one grievant was affected by the grievance decision of the President of the College, the Chancellor's action on a Request for Review shall be limited to the grievant or grievants making the appeal unless the Chancellor, in his discretion, makes it applicable to other grievants affected by the grievance decision from which an appeal was taken.

14.3 Upon receiving a copy of the Request for Review addressed to the Chancellor, the President of the College shall immediately furnish the Chancellor with copies of the:

14.3.1 Grievance Committee's report,

14.3.2 Written arguments presented to the Grievance Committee, if any,

14.3.3 President's Notice of Decision with attachments, if any, and

13.3.4 Tape recording of the hearing.

14.4 Review by the Chancellor may be requested only on one of the following grounds:

14.4.1 Arbitrary action by the President in not accepting the Grievance Committee's recommendations.

14.4.2 Substantially unfair departure from these Procedures which affected the President's decision,

14.4.3 Substantial evidence favorable to the grievant which was ignored by the President.

14.5 Based upon the materials submitted pursuant to Sections 14.1 and 14.3, an officer designated by the Chancellor shall make an initial determination of whether there are sufficient facts asserted to make it appear that grounds for review exist and that the Chancellor should cause the matter to be reviewed. An affirmative determination shall be made only if the procedural requirements of Section 14.1 of these Procedures has been complied with, and the criteria in Section 14.4 of these Procedures are satisfied. Normally this determination shall be made within five working days.

14.6 If it is determined that the matter should be reviewed, the Chancellor shall cause a Chancellor's Review Committee of three persons to be convened from a Chancellor's Review Panel previously selected with the concurrence of the Chairman of the Academic Senate, CSC. The convening shall be by lot.

14.6.1 Any person selected for service on the Chancellor's Review Committee may disqualify himself. A person selected for service on the Committee shall disqualify himself because of relationship to, or past association with, the grievant or any person substantially involved in the grievance, when the past association or substantial involvement was of a kind which would prejudice his judgment to the degree that it appears he could not give a fair review to the matter. Anyone believing that a person selected for service on the Committee should disqualify himself may draw this to the attention of that Committee member.

14.7 The Chancellor's Review Committee will ordinarily meet within ten college working days of the date of the Chancellor's letter of notification. If the grievant has requested a transcript and wishes the Chancellor's Review Committee to read all or any part of it, the time of meeting shall be deferred until the transcript is available. The Committee shall review all materials presented to it by the Chancellor, except that it need not listen to the tape recording of the hearing unless the grounds for review make that necessary. It shall not receive new evidence or argument, or conduct hearings, and its members shall be bound by the policy of confidentiality stated in Section 10.15.1.2 of these Procedures. As to questions of California State College policy, the Committee shall utilize the consultative services of the Assistant Chancellor for Faculty and Staff Affairs or his designee. As to questions on the law, it shall refer such questions to the Office of General Counsel, and shall be bound by the advice received from that office.

14.8 The Chancellor's Review Committee shall arrive at its recommendation by majority vote.

14.9 The Chancellor's Review Committee shall make a written recommendation to the Chancellor that:

14.9.1 The President's decision should be upheld, in whole or in part, or

14.9.2 The Grievance Committee's recommendations should be adopted in whole or in part.

14.10 The written recommendation to the Chancellor shall be accompanied by all the Committee's materials on the case. A copy of the recommendation shall be sent to the grievant and to the President of the College.

14.11 Normally the Chancellor's Review Committee will submit its written report within ten college working days of the conclusion of Committee's deliberations, and the Chancellor shall then make a decision in the matter. Normally, the Chancellor will make his decision in ten college working days.

14.12 Following the Chancellor's decision, which shall agree with the Committee's recommendation except in rare instances and for compelling reasons which shall be stated in writing in the Chancellor's Notice of Decision, the grievant shall have no further appeal within the California State College system.

14.13 The Chancellor's Notice of Decision shall be sent to the President of the College where the grievance originated and to the grievant.

14.14 The functions of the Chancellor, as described in these Procedures, may be delegated by him to individual designees who are members of his staff. All references in these Procedures to the Chancellor include such designees. However, the Chancellor shall be responsible for any action taken under his authority.

15.0 *Review by the Board of Trustees*

15.1 On its own motion, the Board of Trustees may review a grievance.

15.1.1 Applications for such review shall be directed to the Chairman of the Committee on Faculty and Staff Affairs of the Board of Trustees, c/o The Chancellor's Office of Faculty and Staff Affairs.

16.0 *Construction of These Procedures*

16.1 "Shall" is mandatory and "may" is permissive.

16.2 Section headings do not in any manner affect the scope, meaning or intent of the provisions of these Procedures.

16.3 These Procedures shall be considered complied with despite technical departures from them or errors in their application, unless in the opinion of the President or the Chancellor, the technical departures or errors were substantially prejudicial to persons directly involved or to the College.

16.4 In applying the singular language of these Procedures to consolidated hearings, the singular number shall include the plural.

16.5 All notices, requests, reports, and statements sent pursuant to these Procedures shall be sent by U.S. mail. The date postmarked on the envelope shall be the governing date, unless the date of receipt is expressly specified in these Procedures.

APPENDIX

Title 5, California Administrative Code Section

42714. *Grievance Procedures for Academic Personnel.* The Chancellor shall prescribe, and may from time to time revise, Grievance Procedures for Academic Personnel of the California State Colleges. These Procedures may be utilized by all full-time tenured and probationary academic employees, including those on leave of absence with or without pay. The Trustees may, on their own motion, review grievance matters under this Section. The Chancellor shall report to the Board on Procedures issued or revised pursuant to this Section.

Education Code Section:

24306. A permanent or probationary academic or nonacademic employee may be dismissed, demoted, or suspended for the following causes:

(a) Immoral conduct.
(b) Unprofessional conduct.
(c) Dishonesty.
(d) Incompetency.
(e) Physical or mental unfitness for position occupied.

(f) Failure or refusal to perform the normal and reasonable duties of the position.
(g) Conviction of a felony or conviction of any misdemeanor involving moral turpitude.
(h) Fraud in securing appointment.
(i) Drunkenness on duty.
(j) Addiction to the use of narcotics or habit-forming drugs.

Government Code Section:

18025. All employees shall be entitled to the following holidays: the first day of January, the 12th day of February, the third Monday in February, the last Monday in May, the fourth day of July, the first Monday in September, the ninth day of September, the second Monday in October, the fourth Monday in October, the 25th day of December, every day on which an election is held throughout the state, and every day appointed by the Governor of this state for a public fast, thanksgiving, or holiday.

When a day herein listed falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. Any employee who may be required to work on any of the holidays herein mentioned, and who does work on any of the said holidays, shall be entitled to be paid compensation or given compensating time off for such work within the meaning of this article. For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, or compensating time off, shall be considered as time worked by the employee.

Appendix J

DISCIPLINARY ACTION PROCEDURES FOR ACADEMIC PERSONNEL OF THE CALIFORNIA STATE COLLEGES

Executive Order No. 113

This Executive Order is issued pursuant to Section 43525 of Title 5 of the *California Administrative Code*.

1. Except as provided in this Executive Order, the Disciplinary Action Procedures for Academic Personnel of the California State Colleges are established effective this date, for the California State Colleges, and shall govern disciplinary action proceedings for academic employees according to its terms. A copy of these Procedures is attached to, and made a part of, this Executive Order.

2. These Procedures supersede all other Disciplinary Action Procedures for Academic Personnel previously in force in the California State Colleges.

3. These Procedures shall be made available to all academic personnel covered by its terms.

4. If, in the judgment of the President of a new or small State College, there are particular provisions in these Procedures which appear impractical to institute during an identified period of time, he may request the Chancellor to waive such requirements in the case of the particular State College. The Chancellor shall review such requests and take action as appropriate.

5. Hearing officers will be designated by the Chancellor for each State College, as provided in Section [illegible] of these Procedures. Until further notice, hearing officers appointed by the Presiding Officer of the Office of Administrative Procedure (Government Code Sections 11370–11370.4) are hereby designated as Hearing officers under these Procedures. Arrangements have been made whereby such Hearing Officers will be assigned upon request of the President to the Presiding Officer, at his office in Sacramento.

DATED: SEPTEMBER 30, 1970

Glenn S. Dumke

GLENN S. DUMKE, *Chancellor*

Preamble

These Procedures apply only to those actions or conduct that exert a harmful effect upon the academic functions of the College, those that adversely affect the students, the administration, or other faculty members, and those that adversely affect the teaching process or the proper administration of the College.

The American Association of University Professors' Statement of Professional Ethics which has been adopted by the Academic Senate, CSC provides, "As a member of his community, the professor has the rights and obligations of any citizen. He measures the urgency of these obligations in the light of his responsibilities to his subject, to his students, to his profession, and to his institution. When he speaks or acts as a private person, he avoids creating the impression that he speaks or acts for his college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom." At the same time, faculty enjoy the rights of

citizens in the community, and it is not intended that these Procedures should reach into and control the personal actions or conduct of faculty members where those actions, or that conduct, do not exert a harmful effect upon the academic functions of the College.

Section 1.0 *Coverage and Scope*

1.1 These Procedures are applicable to determinations of charges which may result in disciplinary action pursuant to Education Code Section 24306.

1.2 These Procedures are established pursuant to, and in order to implement, Sections 42701, 43522, 43525 and 43526 of Title 5 of the California Administrative Code, and Education Code Section 22505.[1]

1.3 These Procedures are applicable to all full-time tenured and probationary academic employees, including those on leave of absence with or without pay.

1.4 Disciplinary action proceedings under Executive Orders 67 or 81 which were commenced but not concluded by September 30, 1970, shall continue under the procedures of the respective Executive Order, except that the Chancellor's Review Panel shall be advisory to the Chancellor, and the Chancellor shall make the final decision. A proceeding shall be considered to have been commenced under Executive Order 67 or 81, as the case may be, on the date a request for disciplinary action was filed with the Initiator or appropriate faculty agency under such Executive Order.

Section 2.0 *Authority of the President*

2.1 All determinations and findings under these Procedures made by anyone other than the President are in the nature of recommendations to the President, who shall have final authority at the college level.

2.2 The functions of the President as described in these Procedures, may be delegated by him to individual designees who are employees of the College, and who shall exercise those functions in his name. However, the President shall be responsible for any action taken under his authority. All references in these Procedures to the President include such designees.

Section 3.0 *Temporary Suspension; Withdrawal of Consent to Remain on Campus*

3.1 The President may order the temporary suspension of any academic employee as provided in Section 43522 of Title 5 of the California Administrative Code, an interim suspension pursuant to Education Code Section 22505, or both. In the case of interim suspension pursuant to Education Code Section 22505, or of withdrawal of consent to remain on campus pursuant to Penal Code Section 626.4, the academic employee shall be afforded an opportunity for a hearing on that issue within ten days of the respective action. If that hearing should occur prior to his disciplinary hearing under these Procedures, the issue shall be whether a continued withdrawal of consent pending such disciplinary hearing is required in order to protect lives or property and to insure the maintenance of order, and on any issues presented by a request for hearing pursuant to Penal Code Section 626.4(c).

Section 4.0 *Effect of Other Proceedings*

4.1 Action under these Procedures shall go forward regardless of possible or pending other administrative, civil, or criminal proceedings arising out of the same or other events.

4.2 The President may reopen disciplinary proceedings on the basis of new evidence developed in proceedings arising out of the same events as gave rise to the college disciplinary proceedings. The President shall cause campus action to be initiated on the basis of the criminal conviction of an academic employee whenever applicable statutes or regulations require it.

[1] Specific code sections referred to in these Procedures are set out in the Appendix.

Section 5.0 *Administrative Officer*

5.1 General

a. The President shall designate an academic administrative officer, who shall have general charge of the administration of these Procedures, the duties described in these Procedures, and such other duties as the President may determine. The person so designated shall serve in this assignment at the pleasure of the President.

b. The person so assigned may use such local, administrative title as the President may determine. For convenience, he is referred to herein as the "Administrative Officer."

c. All references in these Procedures to the Administrative Officer shall include such other persons as are authorized by the President to assist the Administrative Officer and act in his name.

d. The Administrative Officer shall investigate all alleged misconduct within the scope of these Procedures. All requests for disciplinary action within the scope of these Procedures shall be filed with him.

e. The Administrative Officer shall submit allegations of such misconduct to the person charged, who may present a written answer within three college working days[1] of receipt. The Administrative Officer shall conduct an investigation of the allegations and any answer to these, including a review of the documentary and other material available to him, to determine whether or not further proceedings are warranted. Such determination shall normally be made within seven college working days after the person charged has been initially informed by the Administrative Officer of the allegations against him.

f. As a result of his investigation, the Administrative Officer shall make a recommendation to the President as to whether the matter should proceed. A hearing shall be held whenever the President determines that it is warranted, and whenever required by statute, action by the Board of Trustees, or the Chancellor.

g. If it is determined that the matter should not proceed, then, unless new evidence sufficient in the opinion of the President to warrant reopening the case is subsequently discovered, the disciplinary proceeding shall be considered closed.

5.2 Notices

a. The Administrative Officer shall prepare and mail notices as appropriate to the person charged. Notices addressed to him at the last address posted on the records of the Personnel Officer of the College, and deposited in the United States mail, first class and postage prepaid, shall be presumed to have been received and read by the person charged.

b. The Administrative Officer shall initiate hearing procedures against a person charged, by mailing or personally delivering a notice letter to him, by registered or certified mail, return receipt requested, which:

(1) Contains a statement of the charges against him, in terms of the appropriate subdivisions of Education Code Section 24306, or such other statutes or regulations as may be applicable, and a brief factual description, stated with reasonable particularity, of the conduct upon which the charges are based.

(2) Notifies him of the time and place of hearing.

(3) Refers to or encloses a copy of these Procedures.

(4) Includes such other information as the Administrative Officer may wish to include, such as notice of temporary suspension and withdrawal of consent to remain on campus where such action has been decided upon.

c. As used in these Procedures, "college working day" shall mean any day other than a Saturday, Sunday or holiday as defined in Government Code Section 18025.

5.3 The person charged may waive a hearing and accept a sanction as recommended by the Administrative Officer and approved by the President. The person charged may accept this sanction without admitting that he engaged in the conduct

[1] "College working day" is defined in subdivision c of Section 5.2.

charged. Should he not accept the sanction, the matter shall proceed to hearing, and no cognizance shall be taken of the recommendation made pursuant to this Section 5.3.

5.4 The Administrative Officer shall make physical and scheduling arrangements for the hearing of cases.

5.5 The Administrative Officer shall attend the hearing and shall marshal and present the evidence against the person charged.

Section 6.0 *Hearing Officer*

6.1 The Chancellor shall designate one or more Hearing Officers, who shall serve for terms as determined by the Chancellor.

6.2 Hearing Officers shall be attorneys, admitted to the practice of law in California, who are qualified by professional experience in presiding at judicial or quasi-judicial adversary proceedings, or who have been members of the California State Bar for at least five years. They will not hold any employment, or other contract (other than as a Hearing Officer) with any California State College during the period of their service.

Section 7.0 *General Provisions for Hearings*

7.1 Both the person charged and his advisor, and the Administrative Officer and his advisor may:

a. Be present at all proceedings of the hearing whenever any evidence is being presented.

b. Examine all documents or other evidence presented to the Hearing Officer.

c. Present relevant evidence and question witnesses presented by the other.

d. Present an oral or written summary of arguments at the conclusions of any hearings.

7.2 Evidence

a. Formal rules of evidence shall not apply.

b. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that there are statutory bases for their application, and irrelevant and unduly repetitious evidence shall be excluded.

c. No evidence other than that received at the hearing shall be considered by the Hearing Officer.

7.3 The person charged will not be required to give self-incriminating evidence, and no inference of his guilt shall be drawn by reason of his declining to give evidence on this ground.

7.4 Times Within Which Hearings are to Proceed

a. Matters preliminary to hearings shall be decided, hearings conducted, and cases determined under these Procedures as quickly as possible, consistent with reasonable notice.

b. Normally, matters preliminary to hearings shall be decided and notices of hearings given, within ten college working days of the time the Administrative Officer is informed that a probable conduct violation or other basis for a hearing has occurred, and of the identity of the person or persons apparently responsible. The person charged and the General Counsel (in the event the person charged elects to be represented by counsel at the hearing as provided in Section 7.7-a) shall each have not less than five college working days' notice of commencement of a hearing. Each of them may waive this requirement.

c. Hearings will normally be held within ten college working days of the date notice pursuant to Section 5.2-b is sent to the person charged.

d. Other than as required for the convenience of the Hearing Officer, extensions of time for hearings shall be authorized only for good and compelling reasons. The possibility or pendency of other administrative, civil or criminal proceedings against the person charged is not such a reason, unless the other trial or hearing is scheduled for the same day as the College hearing, or unless it is physically impossible for the person charged to attend the College hearing. Prior to the commencement of a hearing, the Administrative Officer shall decide requests for extensions. After that, should any further requests be made, the Hearing Officer shall rule on them.

7.5 The Hearing Officer shall:

a. Make all rulings on matters relating to the conduct of the hearing, including matters regarding admission of evidence.

b. Maintain an orderly hearing and permit no person to be subjected to abusive treatment. He may eject or exclude anyone who refuses to be orderly. Should he exclude the person charged, he shall make such provision as is practical in his behalf.

c. Recognize the person charged or his adviser, and the Administrative Officer or his adviser, for the purpose of questioning witnesses or presenting argument, evidence or requests to the Hearing Officer. The Hearing Officer may also question witnesses.

d. Make such further rules for the conduct of the hearing as he deems appropriate, not inconsistent with these Procedures.

7.6 A person charged may challenge the Hearing Officer for cause by submitting a written statement to the Chancellor, with a copy to the President, setting forth facts which establish that:

a. The Hearing Officer was a participant in the events out of which the action arose, other than events connected with the conduct of a hearing.

b. The Hearing Officer is related to or has had past association with the person charged or his adviser, the Administrative Officer or his adviser, or another person who has been adversely affected by the events giving rise to the action, which past association is of a kind which would prejudice his judgment to the degree that it appears that a fair hearing could not be had. "Past association" does not include an association acquired in connection with a previous hearing.

The Chancellor shall determine whether the facts present grounds for disqualification and his decision shall be final. The Hearing Officer may disqualify himself on his own motion. No peremptory challenges may be made.

7.7 Advisers; attorneys.

a. The person charged may be accompanied by one adviser of his choice, who may act on his behalf. If he desires that his adviser be an attorney, the person charged must give written notice of the name and office address of the attorney to the Administrative Officer at least four working days before the time set for commencement of the hearing; if there are less than five working days between that time and the date of the notice of hearing, then the notice that his adviser will be an attorney must be given at the earliest reasonable time. Otherwise his attorney will not be admitted to the hearing.

b. Should a person charged advise that he will be accompanied by an attorney, the Administrative Officer shall immediately advise the Office of General Counsel, so that an attorney may be present to present the case on behalf of the Administrative Officer.

7.8 Persons Who May Attend Hearings; Confidentiality.

a. Hearings shall be closed to everyone other than the person conducting the hearing, the person charged and the Administrative Officer, a single adviser for each of them, the person designated to record the hearing pursuant to Section

7.9, witnesses while they are presenting evidence, and the representatives of not more than two recognized faculty organizations as provided in this Section.

(1) The person charged and the President may each authorize one person who is a representative of a recognized professional faculty organization or of the academic senate or council of the College to attend the hearing as an observer.

b. It is the policy of the California State Colleges that evidence, proceedings, findings and recommendations (but not the final decision of the President) are confidential and shall not be made public by the College or by any participant in a hearing, including the person charged and the faculty organization observers, except as any of the foregoing may be filed in court or introduced as evidence in an administrative or court proceeding brought to review as action taken pursuant to these Procedures. In the event these matters should become public, however, the College may authorize such public statements as are appropriate. This policy of confidentiality shall not preclude the College from taking any action following appropriate procedures against any person or entity on the basis of evidence developed at the hearing.

7.9 The Administrative Officer shall arrange for making an audio tape of any and all proceedings conducted by the Hearing Officer.

7.10 Consolidated Hearings

a. Where more than one academic employee is charged with conduct arising out of a single occurrence, or out of connected multiple occurrences, a single hearing may be held for all of the academic employees so charged.

The Administrative Officer shall make determinations regarding consolidation. All such determinations shall be subject to revision by the Hearing Officer. In the event of such revision, all cases affected shall be rescheduled for hearing.

b. The separation of one or more cases from a group of cases previously set for a consolidated hearing shall not be considered to affect the remaining cases in the group.

7.11 If the person charged does not appear, without satisfactory explanation for his absence having been made to the Administrative Officer in advance, or should he leave the hearing before its conclusion or adjournment, the hearing shall proceed without him and the Hearing Officer shall make his findings and report based on the available evidence, just as though the person charged had been present throughout the hearing. The Hearing Officer shall determine whether any reason given for nonappearance, or for leaving the hearing before its conclusion or adjournment, is satisfactory. However, the pending of an administrative hearing or a civil or criminal trial to which the person charged is a party shall not be considered a satisfactory explanation unless the actual hearing or trial date conflicts with the College hearing date.

Section 8.0 *Recommendations of the Hearing Officer*

8.1 Following presentation of evidence, the Hearing Officer shall privately consider the evidence and shall prepare a written decision and report. The decision and report shall contain as to each person charged:

a. Findings of fact with respect to the evidence presented.

b. In cases in which the provisions of any of the following subdivisions of Education Code Section 24306 are charged as a cause for discipline, a finding of whether the cause is established by the evidence: "(g)" (conviction of a felony or conviction of any misdemeanor involving moral turpitude); "(h)" (fraud in securing appointment); "(i)" (drunkenness on duty); and "(j)" (addiction to the use of narcotics or habit forming drugs).

8.2 Findings shall be based upon a preponderance of the evidence, as determined by the Hearing Officer.

8.3 Within three college working days of the conclusion of the hearing or as soon thereafter as possible, the Hearing Officer shall submit his findings and report to the President.

Section 9.0 *Disciplinary Action Panel*

9.1 Each College shall have a Disciplinary Action Panel.

9.2 The Disciplinary Action Panel shall consist of all tenured academic employees of the College holding the rank of associate professor or professor, who are assigned at least two-thirds time to teaching, research, or both.

9.3 Service as a member of the Disciplinary Action Panel, and as a member of a Disciplinary Action Committee, unless excused by the President for good cause, is part of the normal and reasonable duties of every employee designated in Section 9.2 of these Procedures.

9.4 Within three college working days of the receipt of formal written charges from the Administrative Officer, the President shall cause a Disciplinary Action Committee of three members to be selected by lot from among the members of the Disciplinary Action Panel. The person charged and the Administrative Officer shall each be informed of the Panel members selected for the Committee.

9.5 The person charged and the Administrative Officer shall each have the right to excuse up to two persons from those selected for the Committee, without cause. Each may challenge any person from membership on the Committee, but only for cause as provided in Section 7.6. Actions to excuse or to challenge must be exercised by the close of the college working day following the day information as to the persons selected for the Committee is given, pursuant to Section 9.4. The Hearing Officer shall rule on all challenges for cause of a person selected for the Committee.

9.6 Vacancies on the Disciplinary Action Committee caused by challenge or excuse shall be filled from among other members of the Disciplinary Action Panel, and shall be subject to excuse or challenge as provided in Section 9.5, except that the aggregate number of persons who may be excused without cause pursuant to Sections 9.5 and 9.6, shall not exceed two each for the person charged and the Administrative Officer.

9.7 The Disciplinary Action Committee shall consider the findings of the Hearing Officer. It may consider other matters in the record. It may not receive new evidence, and it shall be bound by findings of the Hearing Officer made pursuant to Section 8.1. Within five college working days of receipt of the findings and report of the Hearing Officer, the Disciplinary Action Committee shall submit its recommendation to the President.

Based on the findings and the record, the Disciplinary Action Committee shall find as to each person charged whether the facts as found by the Hearing Officer constitute grounds for disciplinary action in all cases in which any of the following subdivisions of Education Code Section 24306 are charged as a cause for disciplinary action: "(a)" (immoral conduct), "(b)" (unprofessional conduct), "(c)" (dishonesty), "(d)" (incompetency), "(e)" (physical or mental unfitness for the position occupied), and "(f)" (failure or refusal to perform the normal and reasonable duties of the position). If the Disciplinary Action Committee finds any of the foregoing grounds for disciplinary action are established by the evidence, and in all cases in which the Hearing Officer has found a cause for discipline to be established by the evidence as provided in Section 8.1-b, the Disciplinary Action Committee shall recommend to the President what disciplinary action, if any, should be taken as provided below. Otherwise it shall advise the President that no cause for discipline exists.

The Disciplinary Action Committee may refer questions, if any, to the Hearing Officer for clarification.

If a cause for disciplinary action exists, the recommendation of the Committee to the President may include:

a. Dismissal with denial of access to the campus and all college facilities for a period not to exceed one year.

b. Dismissal.

c. Demotion.

d. Suspension with denial of access to the campus and all college facilities for the period of the suspension.

e. Suspension.

f. A written reprimand.

g. An oral reprimand.

h. No action.

9.8 Upon arriving at a recommendation, the Disciplinary Action Committee shall forthwith transmit to the College President, the Hearing Officer, the Administrative Officer, and the person charged, a written statement of its recommendations which may include such justification for those recommendations as the Committee deems appropriate.

Section 10.0 *Action by the President*

10.1 The President shall decide what disciplinary action should be taken, if any, within five college working days of the time he receives the recommendation of the Disciplinary Action Committee, or as soon thereafter as possible.

10.2 If no disciplinary recommendation is received by the President within the five day period provided in Section 9.7, the President shall nevertheless determine the appropriate disciplinary action to be taken.

10.3 The President may return the matter to the Hearing Officer for clarification or further proceedings as appropriate.

10.4 The decision of the President shall concur with the recommendations of the Disciplinary Action Committee except in rare instances when, in the opinion of the President, compelling reasons exist for a different result. In the event that the President's decision is not in accord with the Disciplinary Action Committee's recommendation, the compelling reasons for his decision shall be stated in detail and in writing to the person charged and to the Disciplinary Action Committee. Copies shall also be sent to the Hearing Officer and to the Administrative Officer. At this time, the President and the Disciplinary Action Committee shall make an effort to resolve their differences regarding disposition of the case. In the event that no such resolution of differences is made, the decision of the President on each case is final at the college level.

10.5 The President shall forward his recommendation for disciplinary dismissal, demotion, or suspension to the Chancellor for appropriate subsequent action. It shall be accompanied by the recommendations made to the President by the Hearing Officer and by the Disciplinary Action Committee pursuant to Section 9.8, except as the latter recommendation may be modified pursuant to Section 10.4.

Section 11.0 *Subsequent Action*

11.1 The Chancellor or his designee shall take such action on any recommendation of the President, as he considers appropriate.

11.2 Where appropriate, notice of disciplinary action shall be prepared and served pursuant to Education Code Section 24308, in which event the person charged may appeal to the State Personnel Board and, as authorized by law, receive a *de novo* hearing before that agency.

Section 12.0 *Other Provisions*

12.1 An academic employee of a State College who is accused of conduct as described in Section 1.1, alleged to have been committed at another State College, shall be subject to disciplinary action at the campus with respect to which the violation is alleged to have occurred, and all references to the President, the Administrative Officer, and the Hearing Officer shall refer to those persons at that campus; provided that a Disciplinary Action Committee of the College at which the person charged is an academic employee, shall be empaneled and make recom-

mendations as provided in Section 9, and the President of that College shall make the final campus decision with respect to discipline.

12.2 Arguments by the person charged or his adviser concerning the legal (as distinguished from factual) applicability, or legal validity of any provision on the basis of which he is charged, or of these Procedures, shall not be addressed to the Hearing Officer, but to the President, as soon as the hearing has concluded. The President shall seek advice on the matter from the Office of General Counsel. The advice received from that office shall be considered by the President before a final campus decision is rendered.

12.3 Technical departures from these Procedures and errors in their application shall not be grounds for the President or the Chancellor to withhold disciplinary action unless, in the opinion of the President or the Chancellor, the technical departures or errors were such as to have prevented a fair and just determination of the issues.

12.4 These Procedures are to provide an internal means for the determination of those matters which should proceed to formal disciplinary action pursuant to Education Code Section 24308. *It is not intended either that they or any error in their* application be relevant to, or provide a basis for, review by the State Personnel Board, or by any Court reviewing action of the State Personnel Board in a State College disciplinary matter.

APPENDIX

Title 5, California Administrative Code Sections

42701. *Consultative Procedure.* Each college shall develop, as soon as practicable, procedures whereby tenured members of the faculty shall be involved in recommendations to the president or his designee relating to academic personnel matters. Such procedures shall be submitted to the Chancellor and the Trustees for approval.

The Chancellor shall make every effort, insofar as practicable, to encourage uniform procedures among the colleges.

43522. *Temporary Suspension.* When there is strong and compelling evidence that the presence of an employee on his job might create serious problems, if such evidence were subsequently proven to be correct, a president or the Chancellor may temporarily suspend an employee pending investigation and/or the furnishing of formal notice of disciplinary action pursuant to Section 24308 of the Education Code. Unless earlier terminated by the president or the Chancellor, as the case may be, such temporary suspension shall automatically terminate upon the furnishing of formal notice of disciplinary action or, unless extended as provided by this section 30 days after its commencement, whichever first occurs.

The date for such automatic termination of the period of temporary suspension, where no furnishing of formal notice of disciplinary action has occurred, may be extended upon the written statement of the employee addressed to the president or the Chancellor, as the case may be, requesting such extension.

Suspension under this section shall not prejudice the case of the employee or any rights he may be provided under this article.

43525. *Disciplinary Action Procedures for Academic Personnel.* The Chancellor shall prescribe, and may from time to time revise, Disciplinary Action Procedures for Academic Personnel of the California State Colleges. These procedures shall be applicable to all full-time tenured and probationary academic employees, including those on leave of absence with or without pay. The Chancellor shall report to the Board on procedures issued or revised pursuant to this section.

43526. *Disruption of Campus Activities.* Notwithstanding any provision in this Subchapter 6 to the contrary, any employee of the California State Colleges who, following appropriate procedures at the college, is found to have disrupted or to have attempted to disrupt, by force or violence, any part of the instructional pro-

gram of a state college, or any meeting, recruiting interview or other activity authorized to be held or conducted at the college, may, in the discretion of the President, be disciplined pursuant to Section 24306 of the Education Code.

Education Code Sections

22505. The chief administrative officer of a junior college, state college, or state university, after a prompt hearing of the facts, shall take appropriate disciplinary action against any student, member of the faculty, member of the support staff, or member of the administration of the junior college, state college, or state university who has been convicted of a crime arising out of a campus disturbance or, after a hearing by a campus body, has been found to have willfully disrupted the orderly operation of the campus. Nothing in this section shall be construed to prohibit, where an immediate suspension is required in order to protect lives or property and to insure the maintenance of order, interim suspension pending a hearing; provided that a reasonable opportunity be afforded the suspended person for a hearing within 10 days. The disciplinary action may include, but need not be limited to, suspension, dismissal, or expulsion. The provisions of Sections 24308 to 24310, inclusive, shall be applicable to any state college employee dismissed pursuant to this section. The chief administrative officer of each such institution shall submit periodic reports as to the nature and disposition of cases acted upon pursuant to this section to his governing board.

24306. A permanent or probationary academic or nonacademic employee may be dismissed, demoted, or suspended for the following causes:

(a) Immoral conduct.

(b) Unprofessional conduct.

(c) Dishonesty.

(d) Incompetency.

(e) Physical or mental unfitness for position occupied.

(f) Failure or refusal to perform the normal and reasonable duties of the position.

(g) Conviction of a felony or conviction or any misdemeanor involving moral turpitude.

(h) Fraud in securing appointment.

(i) Drunkenness on duty.

(j) Addiction to the use of narcotics or habit forming drugs.

24308. Notice of dismissal, demotion or suspension for cause of an academic or nonacademic employee shall be in writing, signed by the Chancellor or his designee and be served on the employee, setting forth a statement of causes, the events or transactions upon which the causes are based, the nature of the penalty and the effective date, and a statement of the employee's right to answer within 20 days and request a hearing before the State Personnel Board.

Notice of the reassignment of an administrative employee pursuant to Section 22607 shall be in writing and shall be served on the employee setting forth a statement of the employee's right to answer within 20 days and request a hearing before the Trustees but only on the question of whether the position to which he is reassigned is commensurate with his qualifications.

Government Code Section

18025. All employees shall be entitled to the following holidays: the first day of January, the 12th day of February, the third Monday in February, the last Monday in May, the fourth day of July, the first Monday in September, the ninth day of September, the second Monday in October, the fourth Monday in October, the 25th day of December, every day on which an election is held throughout the state, and every day appointed by the Governor of this state for a public fast, thanksgiving, or holiday.

When a day herein listed falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. Any employee who may be

required to work on any of the holidays herein mentioned, and who does work on any of said holidays, shall be entitled to be paid compensation or given compensating time off for such work within the meaning of this article. For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, or compensating time off, shall be considered as time worked by the employee.

Penal Code Section

(a) The chief administrative officer of a campus or other facility of a junior college, state college, or state university, or an officer or employee designated by him to maintain order on such campus or facility, may notify a person that consent to remain on the campus or other facility under the control of the chief administrative officer has been withdrawn whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.

(b) Whenever consent is withdrawn by any authorized officer or employee other than the chief administrative officer, such officer or employee shall as soon as is reasonably possible submit a written report to the chief administrative officer. Such report shall contain all of the following:

(1) The description of the person from whom consent was withdrawn, including, if available, the person's name, address, and phone number.

(2) A statement of the facts giving rise to the withdrawal of consent.

If the chief administrative officer or, in his absence, a person designated by him for this purpose, upon reviewing the report, finds that there was reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus or facility, he may enter written confirmation upon the report of the action taken by the officer or employee. If the chief administrative officer or, in his absence, the person designated by him, does not confirm the action of the officer or employee within 24 hours after the time that consent was withdrawn, the action of the officer or employee shall be deemed void and of no force or effect, except that any arrest made during such period shall not for this reason be deemed not to have been made for probable cause.

(c) Consent shall be reinstated by the chief administrative officer whenever he has reason to believe that the presence of the person from whom consent was withdrawn will not constitute a substantial and material threat to the orderly operation of the campus or facility. In no case shall consent be withdrawn for longer than 14 days from the date upon which consent was initially withdrawn. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. Such written request shall state the address to which notice of hearing is to be sent. The chief administrative officer shall grant such a hearing not later than seven days from the date of receipt of such request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.

(d) Any person who has been notified by the chief administrative officer of a campus or other facility of a junior college, state college, or state university, or by an officer or employee designated by the chief administrative officer to maintain order on such campus or facility, that consent to remain on the campus or facility has been withdrawn pursuant to subdivision (a), who has not had such consent reinstated, and who willfully and knowingly enters or remains upon such campus or facility during the period for which consent has been withdrawn is guilty of a misdemeanor. This subdivision does not apply to any person who enters or remains on such campus or facility for the sole purpose of applying to the chief administrative officer for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.

(e) This section shall not affect the power of the duly constituted authorities of a junior college, state college, or state university to suspend, dismiss, or expel any student or employee at such university or college.

(f) Any person convicted under this section shall be punished as follows:

(1) Upon a first conviction, by a fine of not exceeding five hundred dollars ($500), by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

(2) If the defendant has been previously convicted once of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 10 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 10 days.

(3) If the defendant has been previously convicted two or more times of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 90 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 90 days.

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